

# HOUSE OF REPRESENTATIVES—Tuesday, February 16, 1993

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We join together in prayer this day in thanksgiving and gratitude for all the blessings of life—the blessings of faith and family, the gifts of hope and harmony, and the opportunities for service to people about us. May we be unselfish with our time and abilities in service to other people and enthusiastically respond to Your gifts of life. We earnestly pray that we will be faithful to the high calling we have received and steadfast in our daily tasks so we will be people of integrity and good will with the marks of justice and mercy. This is our prayer. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. The gentleman from California [Mr. CALVERT] will please come forward and lead the House in the Pledge of Allegiance.

Mr. CALVERT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, February 5, 1993:

H.R. 2. A bill to grant family and temporary medical leave under certain circumstances.

## APPOINTMENT AS MEMBERS OF THE JOINT ECONOMIC COMMITTEE

The SPEAKER. Pursuant to the provisions of 15 U.S.C. 1024(a), and the order of the House of Thursday, February 4, 1993, authorizing the Speaker and the minority leader to accept resignations and to make appointments authorized by law or by the House, the Speaker on February 4, 1993, did appoint as members of the Joint Economic Committee the following Mem-

bers on the part of the House: Mr. ARMEY of Texas; Mr. SAXTON of New Jersey; Mr. COX of California; and Mr. RAMSTAD of Minnesota.

## COMMUNICATION FROM THE HONORABLE DAN ROSTENKOWSKI, MEMBER OF CONGRESS

The SPEAKER laid before the House the following communication from the Honorable DAN ROSTENKOWSKI, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 9, 1993.

Hon. THOMAS S. FOLEY,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L of the House that a member of the staff of the Committee on Ways and Means has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely yours,  
DAN ROSTENKOWSKI,  
Chairman.

## COMMUNICATION FROM THE DOORKEEPER OF THE HOUSE

The SPEAKER laid before the House the following communication from the Doorkeeper of the House of Representatives:

OFFICE OF THE DOORKEEPER,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 9, 1993.

Hon. THOMAS S. FOLEY,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L of the Rules of the House that a member of my staff has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,  
JAMES T. MALLOY.

## TIME FOR AMERICANS TO PITCH IN

(Mr. BONIOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONIOR. Mr. Speaker, the President has challenged us. He showed true leadership. He offered bold change. The battle lines are drawn. Here is the

question: Whose side are you on? Are you for jobs? For growth? For education? For health care? For having the people who made out like bandits in the eighties pay their fair share? For investing in the future of our families? The President is.

The special interests are already saying it will not work. They learned one thing from the eighties. Just say no. Well, Americans are ready to say yes. Yes to investing in the future. Yes to families. Yes to decisive action.

The President's pitch last night was a perfect strike. Now it is time for all of us to pitch in.

## A TAX BY ANY OTHER NAME IS STILL A TAX

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, a tax by any other name is still a tax. In 1986 Congress raised taxes and said it was tax reform. In 1990 Congress raised taxes and said it was deficit reduction. Today President Clinton wants us to raise taxes on the middle class and he says it is patriotism.

A tax is a tax is a tax; it does not matter what we call it. One might ask, when is enough enough. Tax increases did not work in 1986 or in 1990 to help our economy grow, so what makes the President think that raising taxes on the middle class this year will be any different?

Mr. Speaker, today we are collecting record levels of revenues from all of our taxes. The real villain is not that we do not have enough money; the real villain in the surge of the deficit is uncontrolled Government spending. That is what we need to cut, not increase taxes on the middle class.

## UNITED STATES MUST LEAD TO STOP SERBIAN AGGRESSION

(Mr. KING asked and was given permission to address the House for 1 minute.)

Mr. KING. Mr. Speaker, the genocide being carried out by Serbia against the people of Bosnia defies human comprehension.

Equally incomprehensible is the inability and refusal of Western leaders to effectively confront this holocaust. The failure to stop Serbian aggression and ethnic cleansing is not only morally wrong, but—if allowed to continue—will prove strategically disastrous.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Owen-Vance plan is no answer. Like the Munich Pact of 1939, it is unworkable and rewards aggression. It allows the world to pretend it is doing something while the slaughter of innocent men, women, and children continues.

Regretably, the Clinton administration's proposal would endanger American ground troops by having them enforce the Owen-Vance plan. The time has come for the United States to lead the NATO alliance and other regional powers in taking meaningful action against Serbian aggression, without risking American ground forces.

Unless Serbia immediately desists, there must be full-scale air strikes directed at Serbia's artillery positions around Sarajevo, all supply routes leading into Bosnia, and energy facilities and manufacturing installations in Belgrade. Immediate action must also be taken to provide the Bosnians with the arms necessary to defend themselves.

It is only after a demonstration of American leadership and NATO unity that the Belgrade regime will begin to listen and there will be any hope of bringing a lasting peace to the Balkans.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 45. Joint resolution authorizing the use of United States Armed Forces in Somalia.

□ 1210

#### PRESIDENT CLINTON TELLS IT STRAIGHT

(Mr. WISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, last night the President told it straight, and he told us, the American people, what we already knew, that there is no easy way out, and that we must all be in this together.

He said it is a comprehensive package that is needed, not bits and pieces, one that concentrates on jobs, on economic stimulus, short and long term on deficit reduction and on investment in the long term and on health care.

Yes, I hear the nay sayers, and some of them will be heard today. Those are the same people who presided over the last 12 years of a declining middle class, of declining wages, of declining education standards, of soaring health care costs. Do we want more of the same?

Most people that I talk to say, "I know this isn't working for me, what's

happening right now, and what's worse, I'm scared for my kids and what they are going to have."

The President is offering a comprehensive plan, a long-term one. Everybody gives. The middle class gives, and most importantly, they see they also gain. It is a plan that we all need to pay close attention to.

#### A COLLECTION OF SLICK-ISMS FROM PRESIDENT CLINTON

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, last night we heard quite a collection of slick-isms parading as changed public policy.

Investment now means more money for politicians to spend on their pet projects. Contribution now means money which is coerced out of your pocketbook to pay for big government. Sacrifice now means that you give up a lot so that government does not have to give up anything. And patriotism, which used to mean a willingness to bleed and die for your country, now means a willingness to be bled dry by your country.

#### WITH PRESIDENT CLINTON, HONESTY IS BEST POLICY

(Mr. FROST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, I cannot tell you how refreshing it is to have a President of the United States who is honest with the American public.

I had the opportunity to meet with President Clinton at the White House yesterday along with other Members of Congress and then to watch his nationally televised speech last night.

This is a President who tells the public the truth. He uses real numbers for his economic assumptions—the conservative figures prepared by the Congressional Budget Office—not pie in the sky economic assumptions like the ones used by the Reagan and Bush White Houses. Thus, we will not suddenly find out at the end of the year that the deficit is much higher than originally projected because of using false figures at the outset.

Also, this is a President who looks people straight in the eye and tells them what he expects. He expects upper income Americans—the ones who profited from large tax cuts during the 1980's—to help with our economic recovery by paying higher taxes in the 1990's and he tells it straight to the rest of us—we will all have to contribute something.

Honesty is the best policy. It is certainly nice when that is the policy set by the President.

#### WHO ARE THE RICH, PRESIDENT CLINTON?

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, in his campaign for President, Bill Clinton said he would raise taxes only on the rich; in fact, the middle class would get a cut.

But the Pine Bluff Commercial, a newspaper in Arkansas, then said of their Governor:

If Congress followed the example Bill Clinton has set as governor of Arkansas, it would pass a program that hit the middle class the hardest.

In his first address to the American people from the Oval Office, he has called for sacrifice.

He has said that the middle class would have to make more contributions.

And he is proposing an economic plan that will, you guessed it, hit the middle class the hardest.

In my mind, the prognosticator of the year award should go to the Pine Bluff Commercial of Arkansas.

They were the first to accurately predict Clinton's economic plan. If Clinton tells us the truth tomorrow night, it will be a nice change from his performance thus far.

#### PRESIDENT CLINTON'S ADDRESS TO THE NATION

(Mrs. COLLINS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, I rise to urge all of my colleagues and all America to warmly embrace the promising dawn of fundamental economic renewal outlined by President Clinton so honestly and succinctly last evening. After more than a decade of both trickle down economics—which barely even dripped to those most in need, and 1,000 points of light—which were constantly obscured by clouds of smoke, we have a President with a true vision and realistic economic plan. President Clinton's plan is to get America back on track with investment in those essential things that make America stronger, smarter, and more prosperous—jobs, education, and health care. His vision is for a nation which pays more than lip service to stimulating our struggling economy. And while everyone will be asked to contribute, everyone will also share in the inevitable rewards of a sound, fair economic policy.

As President Clinton stated last night Mr. Speaker, the administration, the Congress, and the American people are in this economic rebuilding process together. We all have been called to be architects and builders of the future. I urge my colleagues on both sides of the



aisle to strap on their tool belts, and begin chiseling away at the last 12 years of economic and social rust and decay in order to clean the foundation for the coming revitalization of what for a long while has been the American dream, but will soon be the American reality.

#### BROKEN PROMISES BY PRESIDENT CLINTON

(Mr. COX asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COX. Mr. Speaker, President Clinton says trust me, most of these taxes will be paid by the rich. But this is the same Bill Clinton who broke his solemn pledge to boost the economy with a middle class tax cut.

This is the same Bill Clinton who broke his solemn pledge to cut the deficit in half over 4 years.

This is the same Bill Clinton who broke his solemn pledge not to tax the elderly working poor. Now Clinton wants married senior citizens who make less than \$20,000 a year each to pay new taxes on their meager Social Security incomes.

This is the same Bill Clinton who not only broke his solemn pledge to cut the White House staff 25 percent, but who faked the numbers for the American people, shifting employees to other Federal payrolls and claiming to save money.

President Clinton's budget adviser wanted him to cut \$2 in spending for every \$1 in new taxes. President Clinton abandoned that proposal too.

President Clinton has broken his word to the American people too many times. He asks us now to trust him. Why should we?

#### SMITH CORONA TYPEWRITER DUMPING

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Japan had a \$135 billion trade surplus last year, most of it at the expense of American workers, due to illegal dumping.

But now check this out, Congress. Japan is complaining that Smith Corona, formerly of New York, now having moved to Mexico because of Japan's illegal dumping, they are saying that Smith Corona is dumping typewriters in America, hurting their Japanese company in America called Brothers. Now how does that rub your microchip, folks?

I say it is time for Japan to swallow some of that illegal trade themselves.

Let me say this: It is bad enough that we do not manufacture a television, or telephone, we do not manufacture a

typewriter in America anymore. Japan forced Smith Corona from New York to Mexico, and we are going to hear them crying?

I think it is time for Japan to get the message loud and clear.

#### CUT SPENDING, DO NOT RAISE TAXES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Bill Clinton campaigned as a new kind of Democrat. Now we know that really means new kind of taxes.

Mr. Clinton said America needs to change. Less than a month after becoming President his middle-class tax cut has changed to a middle-class tax hike.

Mr. Clinton promised middle-class Americans a \$60 billion tax cut. And he asserted an energy tax would be "an unfair hit on the middle class." He is about to break both of the pledges he used to attract voters. We have every right to hold President Clinton to the same standard to which he held President Bush during the campaign.

President Clinton says he wants the wealthy to pay their fair share. Yet, the top half income earners already pay 94 percent of the taxes.

During the last 20 years tax collections have increased 400 percent. President Clinton still thinks Americans do not pay enough taxes.

The reason we have a deficit is not because Americans are undertaxed; it is because the Government overspends. Federal spending has increased 500 percent over the last 20 years. We should cut spending, not raise taxes.

□ 1220

#### A STRIKE AGAINST THE CONSTITUTION

(Mr. RANGEL asked and was given permission to address the House for 1 minute.)

Mr. RANGEL. Mr. Speaker and my colleagues, I take the floor to speak on behalf of my friend and our colleague, the gentleman from Tennessee [Mr. FORD].

As most of you know, he was born and raised in Memphis, TN. He has been charged with some kind of bank fraud, and he begins his second trial, the first trial having had a hung jury. This is for charges that occurred before he became a Member of Congress.

As a lawyer and former Federal prosecutor, I assume that most of America thought that everyone was entitled to be tried by a jury of their peers. However, in the case of HAROLD FORD, the Government said it could not get a fair trial in Memphis, TN, where Congressman FORD represented the area and

was born and raised. Could I repeat that: That the awesome, powerful U.S. Government could not get a fair trial in Memphis, and so what they have done is that the Federal judge, instead of picking jurors out of Memphis, TN, which is urban and almost half of them African-American, has seen fit to go to Jackson, TN, and to go to rural communities in Tennessee where over 80 percent of the people are white.

This is the jury that is coming into Memphis to try our colleague. If it happens to him, it can happen to any of us, but worse than that, it could happen with people that are less political, and I think that it strikes against our Constitution.

#### PROVIDE OPEN RULE FOR CONSIDERATION OF THE HATCH ACT

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, the schedule shows that next week the Hatch Act will be brought up. I call on the leadership of the House that when they bring the Hatch Act up that they bring it up under an open rule.

I have an amendment which I want to offer to it which would prohibit Federal employees from the FEC to be involved in political activity, would prohibit IRS investigators to be involved in political activity, and would also prohibit U.S. attorneys to be involved in political activity.

Please, do not bring up a gag rule and prohibit us from offering these amendments.

I was a Federal employee before I was elected to Congress. Most Federal employees oppose changing the Hatch Act, because they are concerned that they will be politically involved.

I ask all Members, particularly on my side, if they bring this up under a suspension of the rules, vote no. But I would ask the Democratic leadership, as you bring this up, give us the ability to offer amendments.

#### PRESIDENT PUTTING CHILDREN FIRST

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, we are hearing some fairly heavy charges today that President Clinton is not telling the truth.

Well, first of all, if it is true that the deficit is a lot less than he is saying, I wish people would, please, get us those numbers. I think even President Clinton would be happy to know that. If someone has some information that a deficit this large is not going to harm the economy but be great for it, please, bring that forward, because we have not seen anybody argue about that.

Now, if you are going to deal with this debt and you agree that the debt is harmful and you must deal with the debt, then I figure we must get on with it, and I salute him for trying.

I must say to anyone who wants to attack him, they have the opportunity to come up with a better plan. One of the most exciting things in his plan is he has finally put the children in the budget. We are finally going to immunize kids. Can you believe it? What a radical concept. We are way behind every country on the planet doing that, and I think that if he wanted to do it cheaply, we could even use some of the U.S. military medical personnel to carry this out so that we get it done once and for all.

The good deal is that while we may have to pay a little bit to get it done now, we are going to save \$5 to \$10 later on. Those are the wise decisions he is making, and before we attack it, let us see people come up with a better idea first.

#### CUT BUDGET BEFORE RAISING TAXES

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, this week, the President is calling for shared sacrifice from the American people and will announce major new tax increases which will hit the middle class, despite his campaign promises to cut their tax burden. But before we even think about raising taxes, let us see some real cuts in the bloated Federal budget. The Federal Government ought to sacrifice first.

Mr. Speaker, the American people have heard this old song and dance before. The Democrats in the administration claim that they will cut spending in addition to raising taxes, but somehow we never see the spending cuts. After the 1990 budget deal, the middle class sure got the tax increases, but for every dollar raised the Congress spent another \$2.37.

The President says that he will propose 150 budget cuts in his State of the Union address. I hope these will be significant cuts, and we should not vote on any tax increases until Congress at least approves those cuts.

Working women and men will not be fooled again by broken promises of spending cuts in exchange for tax increases. They should demand to see the budget cuts first, before we even think about raising taxes on working Americans.

#### PATRIOTISM OVER PAROCHIALISM

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, I was privileged yesterday to join President Clinton and many of my colleagues at the White House to talk about the economic program, and, along with millions of Americans, I watched his speech last night.

I think clearly certain hallmarks of his administration are already emerging, and one hallmark is that he stands for change against the status quo. There is pain in change, but there is payoff in the acceptance of change, because status quo yields more of the same.

We will have, under his economic program, a healthier future, healthier economically, and healthier from the standpoint of the health of our population.

Another hallmark of the Clinton presidency is that he stands for the future, but learns from the past. We had our meeting in the Roosevelt Room, and Mr. Clinton has studied those Presidencies. He knows that sometimes a great leader has to be the dispenser of bitter and hard medicine, but that such medicine will make you well.

The President stands for patriotism over parochialism. Everyone who votes on his economic package, for or against, is a patriot in this Chamber. What the President means, in calling on us for a show of patriotism is that we must put parochialism, localism, and regionalism behind us and try to look at the overall good for the country.

Mr. Speaker, the one thing that could intrude upon all of this is the special interests and their opposition. We need strong campaign finance reform, we will talk about the details later, to bring the special interests under control so that we can do a very serious job of evaluating this proposal of the President.

#### THE PROMISE OF TRUTH AND HONESTY

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, our Democrat colleagues have been parading before the microphones this morning telling us that tomorrow night the President will come to this Chamber and give us truth and honesty. Maybe that is the change that he promised us in the last election.

Then all during last year he told us that last year was the worst economy that we have had in 50 years. Yet we have found out differently. In fact, we did not even have a recession last year. We had growth.

He promised tax cuts for middle-income Americans and all kinds of other promises. Yet in the last 27 days he has broken more promises than he has kept.

He told us that he did not know that the economic conditions were so bad last year. Yet we found out that he has known it ever since this summer and probably even before.

Last night, he said that the tax burden over the last 12 years had shifted to middle-income America, and no one is proposing that at all. We know where the tax burden shifted in this country. It shifted from middle income, in great numbers, to upper income Americans.

He said he is going to put people first. Yet we saw last night that he is putting the Government first.

Truth and honesty is in the eye of the beholder, and the eye of the American people will be on the President tomorrow night.

#### SIMPLIFICATION OF EMPLOYMENT TAXES ON DOMESTIC WORKERS

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, I am pleased to introduce today legislation to raise the threshold requirement for the withholding of taxes on wages paid to an employee engaged in domestic services and to simplify the payment process. Under current law, an employer is required to withhold taxes on \$50 or more paid per quarter to a domestic worker such as a maid or a babysitter who comes to the employer's home to perform the service. Raising this threshold to \$300 per year and enabling employers to coordinate their payments with the payment of their income taxes will have many benefits.

Although this proposal received favorable consideration in the last Congress, it was not enacted. Ironically, the issue of withholding taxes for domestic workers has received widespread publicity recently with the problems of Zoe Baird and other prominent people.

The present withholding requirements can have a detrimental effect on the hiring of domestic workers who work independently of companies that contract for services in the home. Many people just do not want to deal with all the paperwork, and they find it easier to call a cleaning or gardening service that will take care of withholding for their employees. Many parents may choose to hire a regular babysitter outside of their home rather than in their home in order to avoid the hassle of withholding.

My bill will reduce the paperwork, but I want to assure my colleagues that it will not do away with the responsibility of employers to pay taxes on behalf of their employees. Social Security is an important protection for these workers who need to have retirement benefits to keep them out of poverty in their later years. Social Secu-



rity taxes will be paid by the employer at the time at which he files his income tax return. Any unemployment taxes that are due can be paid in the same manner. My legislation will reduce the paperwork burden but not the financial responsibility of the employer.

Mr. Speaker, I believe that people want to do the right thing by their domestic employees but are often scared off by the bureaucratic procedures of withholding. They are tempted to pay under the table or to avoid hiring certain workers. My bill will increase, not reduce, compliance. I urge my fellow Members of the House to support this effort.

□ 1220

#### PAIN, NO GAIN

(Mr. CANADY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CANADY. Mr. Speaker, President Bill Clinton, in his address to the American people last night, promised a great deal of pain, but he did not really clarify what pain might gain us. He said his economic plan would create 500,000 new jobs, but he did not say where these jobs would be created. He said he wanted to cut the deficit, but he did not say by how much.

He said he wanted to invest more but did not really clarify where the investment will be made.

He called for sacrifice. He called for contributions. And he asked the middle class to pay more in taxes.

So, what will this pain gain us? Well, according to the stock market, which has already fallen 72 points today after the President's speech, it will not produce more economic confidence, it will not produce a more vibrant private sector, it will not produce real private sector expansion.

President Clinton's plan for pain will gain us only more pain. That does not seem like a reasonable sacrifice to me; it is a sacrifice the American people should not be forced to make.

#### ON BEHALF OF CONGRESSMAN HAROLD FORD

(Mr. HILLIARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILLIARD. Mr. Speaker, a grave injustice to Tennessee's first and only black Congressman has occurred. In the words of USA Today columnist Dwayne Wickham, "The scales of justice are way out of balance."

Congressman FORD, who is facing retrial on fraud charges in his 6-year-old indictment is facing judgment by a jury which is not only outside his home and congressional district, but it con-

sists of 17 whites and 1 African-American.

This extraordinary situation is based upon the prosecution's argument that because of the Congressman's popularity in his own congressional district, the government cannot get a fair trial.

The prosecution has been given a right which it does not deserve, to remove the trial from the home of the person charged to a jury not representative of his home.

If this trial, with a bused-in jury is allowed to occur, a dangerous precedent will have been set. If this precedent stands, what will stop this from happening to other Members of Congress.

The conclusion that jurors cannot be found among the more than 400,000 African-Americans in the Memphis district is an idea that cannot be defended. It is a serious violation of his constitutional and civil rights.

Congressman FORD is not asking that the wheels of justice be stopped, he is only asking for relief from a system which has gone awry, a system which has given him a stacked jury, rather than a jury of his peers, which the Constitution is supposed to guarantee him.

I ask my colleagues, both black and white, Democrat and Republican, male and female to speak out against this severe injustice.

#### HIGHER TAXES FOR AMERICAN BUSINESSES MEAN HIGHER PRICES FOR AMERICAN CONSUMERS

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, last night President Clinton promised in his new economic plan that he would create 500,000 jobs in the next 2 years. I have to ask where will those new jobs come from? They will not come from higher taxes. Higher taxes for American businesses simply mean higher prices for American consumers. Higher prices for consumers mean less money available for investment. Higher taxes for businesses and individuals mean less capital available for investment in new products. But it means we will not be as globally competitive as we should be.

We must do better than our current level of employment. We need to increase employment more than decrease it. More taxes on businesses and individuals will be counterproductive to a full-employment America.

Taxes are the wrong solution at the wrong time.

Before we raise taxes on the working middle class, we need to tighten our governmental belt, including that of the multibillion-dollar Congress.

The economy of southern California is devastated; we need more jobs, but not make-work jobs.

I think we should all ask President Clinton the simple question: Where will those jobs come from? They will not come as a result of more taxes.

#### CONGRESSMAN FORD DESERVES JURY OF HIS PEERS

(Ms. WATERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATERS. Mr. Speaker, I rise today to call on Judge Jerome Turner in Memphis, TN, to put an end to the outrageous miscarriage of justice with the retrial of Congressman HAROLD FORD. This trial cannot proceed with a jury that has been bused into Memphis from Jackson, TN.

Mr. FORD is African-American. The Memphis area State judicial district, his district, is approximately 40 percent African-American. The rest of west Tennessee, which includes Jackson, is less than 20 percent African-American. This bizarre busing in of jurors from Jackson has resulted in the selection of 12 jurors and 6 alternates, only one of whom is African-American, and 17 of whom are caucasian. This outrageous manipulation of the jury selection system has been caused by a belief that Mr. FORD is too popular in Memphis. The Constitution of the United States does not deny justice because of popularity. The Constitution guarantees a defendant a jury of his peers. This basically all-white, hostile jury is not a jury of Congressman FORD's peers, but rather in selecting from those bused in, the judge even commented on their bias.

Let us start all over again and select a representative jury from the Memphis judicial district.

#### THE NEW POLITICAL VOCABULARY

(Mr. KIM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIM. Mr. Speaker, last night President Clinton introduced some new terms into the political vocabulary, terms that I believe need some further defining.

The word "contribution," in case you were wondering, is a new word for higher taxes. Keep this in mind when the IRS comes calling asking why your contribution is late.

Investment means higher Federal spending on social programs. A year from now when President Clinton defends why he is spending more instead of spending less, he will say he is investing.

Rich no longer simply means millionaires; it does not mean those making over \$200,000 a year. Now it means couples who make over \$100,000 a year. That means if you and your spouse both make \$50,000 a year, you are rich.

Patriotism does not necessarily mean defending your country; now it means simply going along with President Clinton's request to increase the middle class' contribution.

I urge the American people to keep this new vocabulary in mind for the next 4 years.

Where is George Orwell now that we need him?

#### PRESIDENTIAL LEADERSHIP

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, last night President Clinton observed Presidents Day by offering Presidential leadership to our great country. The President presented to the American people a fair and smart proposal for a stronger economy and a brighter future. In the proposal, our children and our families benefit from Head Start, health care, higher education, and job creation. Businesses also benefit because the package will result in a lower cost of capital, a better-trained work force, and larger markets for our products. Our economy will benefit from the initiative to stimulate the economy; the investment in infrastructure will produce 500,000 new jobs immediately.

Also, the investment tax credit, the research and development tax credits, and targeted capital gains tax reduction will promote growth in emerging growth companies and technologies, making us more competitive internationally.

The entire package will stimulate the economy, cut spending, reduce the deficit; all this in a way that is fair to all Americans.

□ 1240

The President has shown the way. If we can improve on the package, we should do so. If not, then let us get on with it. The American people expect us to give our new President a chance.

#### PUTTING WASHINGTON FIRST

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTERT. Mr. Speaker, President Clinton won an election last fall on his pledge to limit his tax increases to the wealthy. It has been fascinating to watch how his definition of that term has changed over the past few months.

What Mr. Clinton defined 6 months ago as "those making more than \$200,000 a year" has been cut in half last night to \$100,000. At this rate he is likely to start defining wealthy as simply working, and defining working as undertaxed.

The candidate who told us flat out that he would not raise taxes on the

middle class to pay for his programs now promises only to try not to hit the middle class first.

Mr. Speaker, in my district two schoolteachers filing a joint return, paying on a mortgage on their homes, and putting two children through college, are all of a sudden finding themselves waking up this morning, reading the newspapers, and all of a sudden they are rich.

Last night, Mr. Speaker, the President said that for the 26 days that he has been in Washington he has not found much common sense here.

Well, I will say, Mr. Speaker, that probably he has been talking to the wrong people.

#### IN SUPPORT OF CONGRESSMAN HAROLD FORD

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Speaker, the principle of equal justice under the law is one that all Americans should respect and support. In fact, it is a principle we hold in such high esteem that the words "Equal Justice Under the Law" appear on the entrance to the highest court of our land, the Supreme Court.

Yet, in Tennessee, it appears that the basic American principle of equal justice is being seriously compromised in the case of our colleague, Congressman HAROLD FORD.

While the Memphis area State judicial district is about 40 percent African-American, the retrial of Congressman FORD on charges that are 6 years old is being moved nearly 100 miles away from the city. The rest of west Tennessee is 20 percent African-American.

As a result of this unfair move, the final jury is composed of 11 white and 1 African-American. All six alternates are white.

Mr. Speaker, I think it is obvious that the judicial system in Tennessee has deliberately stacked the cards against Congressman FORD. It is not fair, and it goes against the American principle of equal justice under the law. I join several other of my colleagues in strongly protesting this travesty of justice.

#### WE NEED TO BE AMERICANS FIRST ON THE DEFICIT

(Mr. SHAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAYS. Mr. Speaker, because of our annual budget deficit, our national debt has increased fivefold in just 13 years. For this both Congress and the White House must bear responsibility.

We need to reduce these deficits by first cutting spending, and then con-

trolling the growth of entitlements, raising some tax revenues and growing the economy.

I hope my colleagues on both sides of the aisle do not rule out the various alternatives to accomplish this task before they fully evaluate what is being proposed.

There is no perfect package. We need to find common ground and do what we can. We need to be Americans first and Republicans and Democrats second.

We need to get this deficit down and we need to do it now.

#### WORLD CLASS LEADERSHIP IN THE EXECUTIVE BRANCH

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, at last we have world class leadership in the executive branch of Government. We have leadership that has sworn to pursue a path of truth in budgeting, tell the American people the harsh truths about what has happened over the last 12 years.

The deficit was not created by God. It was created by mismanagement. A lack of industrial policy meant that our jobs flowed to our competitors.

A number of major steps have to be taken to set right what has been going wrong for the last 12 years.

We have a President who is going to bite the bullet. We want the American people to join. We certainly all need to join in turning around the situation that has made it impossible for us to go forward toward the year 2000 with any hope of maintaining our leadership in the world.

The President has proposed a two-prong attack. On the one hand he is going to create the incentives for new jobs. He is going to provide full funding for Head Start. He is going to do the kinds of things that we know are necessary in order to invest in human beings and keep our Nation competitive. Human assets come first.

He is also going to invest in the infrastructure that has been neglected for so long.

He is also going to enunciate the outlines of an industrial policy that will lead to us remaining a first-class economy in the world and not the kind of second-class economy that we have become under the leadership of the last 12 years.

#### AMERICAN TAXPAYERS DO NOT DESERVE TO BE GUINEA PIGS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, last night President Clinton called for bold, persistent, experimentation.



President Clinton should not experiment with middle-class tax hikes. And the American taxpayers do not deserve to be guinea pigs.

Tax hikes will not solve the deficit problem. We must hold the line on spending and reduce or eliminate Federal programs.

I recently received a graphic reminder from Barbara Bowling of Dallas, TX. She offers a sign similar to the one we saw at the Clinton campaign.

When it comes to the economy, "It's the spending, stupid!"

The administration should reduce spending before they even talk about tax increases. They have got the cart before the horse.

President Clinton may try to convince us that tax hikes are patriotic, but without going after spending, President Clinton's tax hikes become just a patriotic pickpocket.

#### THE PRESIDENT IS PUTTING SPECIFICS ON THE TABLE

(Mr. FINGERHUT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINGERHUT. Mr. Speaker, the previous speaker before the last on the other side of the aisle, the gentleman from Kentucky, said what I think is right, and that is that this is not about Republican and this is not about Democrat. This is about the future of those children sitting up in the balcony right now.

Mr. Speaker, I am a new Member of this body. For years I have listened to people talk about two subjects, about cutting spending and about reducing the deficit.

I have heard that again today from people on the other side of the aisle in general terms; but Mr. Speaker, the problem is that they never get to the specifics. In the first 3 weeks of this administration and last night, President Clinton has gotten to the specifics. On cutting spending, he has reduced the White House by 25 percent, not next year, not in the future, but right now. He has ordered the Federal agencies to reduce their administrative costs by \$9 billion. He is going to reduce Federal employment by over 100,000 people.

Indeed, in this body we have already moved to eliminate staff and budget of 16 subcommittees and we are going to continue in that trend. The specifics are on the table.

Mr. Speaker, on the subject of deficit reduction, no one wants to pay higher taxes, but again we have a President who has been willing to put the specifics on the table.

Mr. Speaker, I ask the American people to give this President credit for the specifics and reject those who talk in generalities and are not willing to put the details on the table.

#### COSPONSOR H.R. 441, CANCEL THE SPACE STATION

(Mr. ZIMMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZIMMER. Mr. Speaker, the Clinton White House has reopened the debate on the future of space station Freedom, and with good reason.

The space station has earned its status as a budget target. Since its inception, its costs have exploded from \$8 to \$40 billion and its capabilities have been radically diminished.

Year after year we have been assured that program management problems have been resolved. Yet, each year the budget swells just a bit more, and the scope of the mission is trimmed still further. In the past 2 months alone, a billion dollars of new cost overruns were disclosed.

Enough is enough.

As long as Congress allows it, this program will continue to rob American taxpayers by promising what it cannot deliver.

Congress—and especially those freshmen Members who were elected to change the status quo—must not allow this orbiting pork barrel to continue. Cosponsor H.R. 441. Cancel the space station.

□ 1250

#### A TRIBUTE TO ROBERT LAINE, A GREAT AMERICAN

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to a great American and a special friend, Robert Laine. Bob Laine is someone who believes in his country and is not afraid to get involved.

A New York native after 3 years in the Navy, Bob Laine served as a member of the Nassau County Bureau of Special Operations from 1969 to 1985. His conscientious dedication to duty earned Bob a congressional award in 1983.

After serving his country and his community, Bob and his wife moved to Pasco County, FL, in 1985. But instead of fading into the background, Bob instead took on the daunting task of rebuilding the Pasco County Republican Executive Committee, which he did with courage and determination.

Today, Bob Laine is still fighting; this time with cancer. But I wanted to take this opportunity to pay tribute to a great American; someone who has consistently put the needs of others above his own. Mr. Speaker, we wish Bob a complete and speedy recovery and look forward to the day when his expertise and commitment will again be put to use for the benefit of his community.

#### THE INVESTMENT TAX CREDIT ACT OF 1993

(Mr. TORKILDSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORKILDSEN. Mr. Speaker, I come before the House today to notify my colleagues of a bill that I will be introducing, the Investment Tax Credit Act of 1993.

This is a bill that both Republicans and Democrats can support. Even President Clinton has been calling for some form of an investment tax credit because he knows the benefits an investment tax credit will bring to our economy, and the jobs it will help create.

When an investment tax credit was reinstituted in the early 1980's our economy quickly rebounded from the stagflation of the 1970's. But, net investment in this country has decreased every year since the investment tax was eliminated in 1986. This 10-percent investment tax credit will stimulate businesses to invest capital, increase production, and create jobs.

This tax credit will be for equipment used in production, manufacturing, agriculture, extraction, and research facilities. Businesses will have an incentive to invest now, when we need it most. Any growth in major industries also stimulates growth in other sectors as well. The impact of the bill will be immediate, but the benefits will be long term.

At a time when Americans are demanding action to control the deficit, this bill will help in that fight. Some revenue models project a \$30 billion increase in revenues in the first 5 years after an investment tax credit has been initiated. Even long-term models project no loss of revenue with this type of tax incentive. I ask my colleagues to cosponsor this legislation and help invigorate our economy and create jobs by spurring companies to invest today.

#### INCREASE TAXES OR REDUCE GOVERNMENT SPENDING?

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, I was back on my farm this last weekend, and I filled out my income taxes, and I was somewhat upset. But I decided that filling out those tax forms is a good reminder of how deep the Federal Government reaches into our individuals' pockets, taking away money that could be otherwise used for the family.

Mr. Speaker, I express my hope that every Member of Congress will make the effort to fill out their own income taxes as a reminder that Government is reaching deep into our pockets and

spending the money probably not as wisely as we could spend our own money.

As I recall the budget agreement of 1990 and the tax increase we have that averages about \$30 billion a year, nobody knows where that \$30 billion went, and I am told that we increased spending and increased the deficit by an additional \$2 for every \$1 of taxes that we raised.

Mr. Speaker, I think most Americans are willing to sacrifice. I ask the Members of this Congress, I ask the American people, to look at their payroll deductions, look at their Federal taxes, before we decide whether to sacrifice by increasing taxes or by reducing Government spending.

#### LINE-ITEM VETO LEGISLATION

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, today I rise to call to your attention legislation I introduced on the first day of the session proposing an amendment to the Constitution of the United States allowing the line-item veto in appropriation bills. This is the same bill that has been introduced by retired Congressman Chalmers Wylie each session for the past 18 years.

Granting the President of the United States the power of the line-item veto is an excellent first step toward meaningful deficit reduction. Admittedly, it alone will not entirely reduce the deficit of our Government but it will be an invaluable fiscal tool to help reduce wasteful spending.

Forty-three States have successfully granted their Governor the power of the line-item veto as a fiscal tool providing an executive restraint on appropriations. Moreover, eight past Presidents and the current President of the United States all have expressly supported this idea. The American people are asking why we don't have a line-item veto. This measure needs to come to the House floor for consideration.

#### INTRODUCTION OF WELFARE REFORM LEGISLATION

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, reforming our welfare system is an important issue confronting our Nation.

It should always be our desire to move people from the welfare rolls to a payroll.

Today we are seeing generation after generation of welfare-dependent families. The vast majority of these families have one common denominator—they are headed by single, never married mothers.

At a Republican welfare reform task force hearing which I chaired, I was appalled to learn that only 22 percent of the never married single mothers have identified the father of their child for paternal support purposes.

Today I am introducing legislation that would encourage States to improve upon this dismal record.

By addressing this key area in need of reform, it would have a significant impact on how young males view their responsibilities as fathers.

#### HOLD ON TO YOUR ASSETS

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, we all remember Bill Clinton's campaign promise of a middle-class tax cut, and of raising taxes only on the rich, defined as those making over \$200,000. Last night, President Clinton lowered that to \$100,000. Seventy percent of his tax increases he says will be paid for by these so-called rich folks. By the way, Mr. Speaker, that \$100,000 he is talking about, that is household income, that is two wageearners. Well, my advice is, "Hold on to your assets."

This morning, Mr. Speaker, the President's spokesman told us that those making under \$30,000 per year would probably, probably, not have to have their taxes increased, too. Well, holding back the urge to say, "I told you so," let us just remember and be consoled by the fact that last night the President stated that he has worked harder than he has ever worked in his life to find a way to pay for his program without asking for more taxes from the American people. Sure.

Mr. Speaker, one little-remembered campaign promise from candidate Clinton was to hold off on new spending programs before imposing any new taxes on anyone earning under \$200,000 per year. I would suggest the President go back again and look at that campaign promise and follow it. Otherwise his credibility will be shot.

#### BIPARTISAN SUPPORT FOR HEALTH CARE REFORM

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, President Clinton has stated that any viable economic package would have to include health care reform, and on that I certainly agree with him. In fact, I know all my colleagues on this side do, too. If we look at the health care proposals in the Senate and also in the House, Mr. Speaker, there are four things that stand out, that Members of Congress, the Senate and the House, all agree with, and what are they?

First, allowing self-employed individuals to deduct 100 percent of their premium costs; second, simplifying paperwork; third, a ban on preexisting illness exclusion; and, fourth, job lock security. That is portability, allowing employees to take their health insurance with them when they go from job to job.

Mr. Speaker, these are proposals that Democrats and Republicans agreed on. I urge my colleagues to put aside partisan politics and work together on passing these proposals.

□ 1300

#### A CALL TO ARMS FOR HIGHER TAXES AND MORE SPENDING

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, the President's speech last night was quite partisan, and we are told the President is going to become more partisan. That is interesting.

The President's speech last night was a call to arms. It is a call for higher taxes and more Government spending. The taxers and the spenders are back in town. Tax, tax, tax; spend, spend, spend; borrow, borrow, borrow—that is their call to arms. There is no gridlocks now, just a bigger and bigger welfare state.

I feel sorry for the American people as they are being bled by the Democrats. But what is to be done? The Democrats control the White House. They control this House; they have controlled it for 38 years. They control the Senate. They can control the entire bureaucracy. They can control all the agencies. In fact, the Democrats control everything in our Government today.

Our American people are going to go through a nightmare in the next 2 years. The only consolation is that the American people on election day, November 7, 1994, are going to deliver a nightmare to the Democrats. When the American people hear the Democrats, especially President Clinton, they feel they have been had. And do you know something? They have been.

#### A RECIPE FOR ECONOMIC DISASTER

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BURTON of Indiana. Mr. Speaker, one of our colleagues earlier today said that President Clinton has a true vision for America. Well, he has a true vision all right. He is looking at everybody's wallets—\$275 billion in new taxes.

In 1990 we had the budget summit agreement. It raised taxes \$180 billion, and it caused the recession we are in. It



cost us millions of jobs. Now they are going to more than raise that tax increase level by 50 percent; it is not \$180 billion but \$275 billion.

He promised a middle-income tax cut. No. He promised to cut the deficit in half. No. He promised not to raise taxes on the middle-income people. Yes. He is going to do that.

This is \$275 billion. You take that money out of the collective pockets of America, and it is going to cost 750,000 to 1 million jobs. That is not the answer to solving our problems.

He also said that for each dollar in new taxes he was going to cut at least a dollar in spending. We did an analysis. For each dollar in new taxes they are going to raise spending by \$3.

Mr. Speaker, this is a recipe for economic disaster for this country. I say, President Clinton, reevaluate what you are doing.

#### PRESIDENT CLINTON LAUDED FOR ACTING RESPONSIBLY

(Ms. FURSE asked and was given permission to address the House for 1 minute.)

Ms. FURSE. Mr. Speaker, I rise today to say it is time we stopped talking about taxes, stopped talking about investment, and stopped talking about jobs. From 1980 to 1992 the deficit grew from less than \$1 trillion to \$4 trillion.

It is time, Mr. Speaker, that we need to be responsible to our children because it is our children who are being asked to pay for the profligate spending of the last 12 years. We have neglected our country and our people while we have spent money foolishly.

Mr. Clinton is prepared to act responsibly. He wants us to invest in jobs, in children, and in infrastructure. I compliment him on having come to the American people to tell the truth.

#### CONTROLLED SPENDING, NOT HIGHER TAXES SEEN AS THE ANSWER TO A RECOVERY

(Mr. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCOLLUM. Mr. Speaker, all of us want to see a balanced budget, and we want to see the deficits reduced. I do not think anybody in this Chamber is not willing to make sacrifice. I do not think any American is not willing to make a sacrifice to that end.

The debate, though, is over whether or not the proposals to do this are the right ones and what is going to work. The responsible way to balance the budget, to control the spending, is to do exactly that—to control spending and to get this economy growing. It is not responsible, in fact, it is irresponsible to raise taxes to do it.

The economists tell us that it is counterproductive. Wall Street today,

with the stock market off by about 70 points after listening to President Clinton last night, tells us the same thing.

Raising taxes will cost jobs. We need to control spending, get the economy growing, raise revenues in that way, balance the budget, and do it responsibly, and all of us are willing to pitch in and do that. The problem is that this body has not acted responsibly in that regard over the last few years.

Mr. Speaker, the Democrats control Congress now, and I see no evidence that anybody is willing to reduce Government spending. I hope I am wrong.

#### IN SUPPORT OF CONGRESSMAN HAROLD FORD OF TENNESSEE

(Mr. TUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TUCKER. Mr. Speaker, I rise today to address a grave injustice that is occurring even as we speak here on the House floor. A grave injustice to Tennessee's first and only black Congressman has occurred. In the words of USA Today Columnist Dewayne Wickham, "The scales of justice are way out of balance."

Congressman FORD, who is facing retrial on fraud charges in his 6-year-old indictment, is facing judgment by a jury which is not only outside his home and his congressional district, but it consists of 17 whites and only 1 African-American.

This extraordinary situation is based upon the prosecution's argument that because of the Congressman's popularity in his own congressional district, the government cannot get a fair trial.

Mr. Speaker, the prosecution has been given a right which it does not deserve, to remove the trial from the home of the person charged, to a jury not representative of his home.

Mr. Speaker, if this trial, which is based on a jury which is not of his peers, is allowed to occur, I suggest that a dangerous precedent will have been set.

If this precedent stands, what will stop this from happening to other Members of Congress?

The conclusion that jurors cannot be found among the more than 400,000 African-Americans in the Memphis district is an idea that cannot be defended. It is a serious violation of Congressman FORD's constitutional and civil rights.

Mr. Speaker, I ask that this matter be immediately addressed.

#### SPENDING CUTS, NOT HIGHER TAXES NEEDED FOR THE ECONOMY

(Mr. CRAPO asked and was given permission to address the House for 1 minute.)

Mr. CRAPO. Mr. Speaker, I am concerned about the implications that we

have about a pending budget proposal that will increase taxes and increase spending. The theory that increasing Federal spending and increasing taxes is what is needed to stimulate our economy and bring us out of the difficulties we face, fails to recognize the lessons of history.

What we need is lower spending and lower taxes. In fact, if the idea is that deficit spending and increased taxes is what will bring us into a hot, strong economy, we should have one of the strongest, hottest economies in the world. Yet we do not, and we see our economy failing. It is failing because raising taxes and increasing spending is not the answer. Cutting spending is the answer.

I would support any meaningful approach to cutting the spending of this Federal Government. We need across-the-board cuts in our programs. We need to focus on specific projects, and if Mr. Clinton will bring forward those specific projects for proposed cuts, I think he will find significant support for it, but let us not repeat the problems that we have had in the past of relying too heavily on a large Federal Government and its spending and its taxing to save our economy.

#### SPENDING CUTS A LARGE PART OF THE PRESIDENT'S ECONOMIC PROGRAM

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, we have heard a lot this morning about the President's economic package, and I think one thing we can say with certainty is that those who are worried about spending cuts need worry no longer. Spending must indeed be cut, and the President's program is going to cut spending deeply and broadly.

Everything is on the table, and that budget is going to be as austere as any we have seen, and certainly more serious and more honest than any we have seen from the White House in the last 12 years.

The President tomorrow night will lay this package before this body and before the American people. It will be a call to arms to get this economy back in shape, to get spending down, and to restore fairness and economic growth to the American system.

□ 1310

The President's program will ask something of all Americans. The President has made deep cuts himself in the White House staff, in the bureaucracy, and we must make comparable cuts in the legislative branch. Of the taxes that will be raised, over 70 percent are going to come from the wealthiest Americans, those who received a windfall from the Reagan-Bush policies.

The President has warned that this plan could be in jeopardy. The brighter future could be jeopardized by organized interests and by people who are taking partisan potshots and putting narrow interests ahead of the national interest. But it is the broad interests of the American people that must prevail. "I am confident about America," the President said. "We will prevail."

#### LOOK AT FEDERAL BUREAUCRACY BEFORE IMPOSING FURTHER TAXES

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, it is very frustrating for all of us because it is clear that we want to get this economy moving. My Los Angeles County has a 10.4-percent unemployment rate, we see a \$4 trillion national debt, and we all want to turn the corner on that.

But I am very frustrated as I look at the package which is coming forward. Frankly, it is nothing more than the failed policies of the past.

What do we do? Well, we penalize success and we reward failure. That is really what we are saying. We are saying that someone who wants to have a modicum of success, that they really should not consider it unless they want to have their taxes go up even further.

Mr. Speaker, it seems to me that as we look at these challenges that we are going to face in the weeks and months ahead, we need to look at this institution, and we need to look at the entire Federal bureaucracy before we begin making any attempt whatsoever to impose further taxes on working Americans.

#### GETTING AMERICA BACK ON TRACK

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, I rise this afternoon to support our President Bill Clinton and his efforts to set America back on track. For the last 12 years, we have witnessed a feeding frenzy at the public trough that resulted in a savings and loan scandal, a HUD scandal, U.S. engagement in the international drug trade, and war against Third World people.

The American people voted for change. The American people voted for an end to gridlock. The American people voted to end the Republican feeding frenzy that allowed the fat cats to get fatter. Now is the time for all Americans to stand with our President and set our great country back on track. We must not allow fat cats and special interests to impede this historic progress that we are about to inaugurate.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The PRESIDENT pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on both motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on both motions to suspend the rules.

#### OPPOSING RESUMPTION OF COMMERCIAL WHALING

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 34) calling for a continued U.S. policy of opposition to the resumption of commercial whaling, and otherwise expressing the sense of the Congress with respect to conserving and protecting the world's whale, dolphin, and porpoise populations, as amended.

The Clerk read as follows:

##### H. CON. RES. 34

Whereas there is significant widespread support in the international community for the view that for scientific, ecological, and educational reasons, whales should no longer be hunted for profit;

Whereas there is concern that efforts will be made at the 1993 Annual Meeting of the International Whaling Commission to overturn the Commission's existing moratorium on commercial whaling of large whales;

Whereas there are species of small cetaceans that are currently subject to direct commercial harvest;

Whereas there are unique regions of the world's seas which serve as important feeding grounds for many species of whales, and where the impacts of environmental threats are unknown: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—*

(1) the United States policy should promote the conservation and protection of whale, dolphin, and porpoise populations;

(2) the United States should remain opposed to any resumption of commercial whaling, and should work toward a moratorium on the direct commercial harvest of dolphins and porpoises;

(3) the United States should work to strengthen the International Whaling Commission by reaffirming its competence to regulate direct commercial harvest of small cetaceans and should encourage the Commission to consider the expertise of its Scientific Committee;

(4) the United States should support the establishment of appropriate international sanctuaries where whaling is prohibited; and

(5) in promoting the conservation and protection of the world's whale populations, the United States should make the fullest use of diplomatic channels, appropriate domestic and international law, and all other available means.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gen-

tleman from New Jersey [Mr. SAXTON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I am pleased to bring before you House Concurrent Resolution 34, which expresses congressional opposition to any resumption of commercial whaling. The resolution also urges the establishment of international whale sanctuaries where whaling is prohibited.

In today's world, the concept of killing whales for profit is simply an anachronism. There was a time when our ancestors—including the Yankee whalers from my home State of Massachusetts—hunted whales for their oil and whalebone, but those times are now long gone. The human race has progressed, and we no longer light our lamps with whale oil, nor make combs and other toiletries from whalebone.

Those advances almost came too late for the whales. By the middle of this century, more than 200 years of relentless killing had brought many of the world's whale species literally to the verge of extinction. Fortunately, nations from around the globe recognized the extent of the slaughter and came together in 1946 to sign a landmark conservation treaty: The International Convention for the Regulation of Whaling. The treaty's success in slowing, if not entirely stopping, the slaughter over the past 47 years has been nothing short of remarkable. Although still menaced by marine pollution and global climate changes that threaten to destroy their habitats, the great whales have slowly begun to repopulate the oceans of the world.

During the past few decades, no other group of animals has so captured the hearts of people around the world. In the United States, in Canada, Argentina, and Australia, we no longer kill whales for profit—we now watch whales for profit. In Massachusetts, the whalewatching industry brings over \$70 million a year into the State's economy—proof that living whales are a far more valuable marine resource than dead whales could ever be. They are an educational tool and a symbol of the conservation movement, proof positive that humans and wildlife can coexist on this small planet.

Under these circumstances, some of my colleagues may find it surprising that this resolution is necessary. But a few shortsighted nations are now seeking to overturn a 6-year-old global moratorium on commercial hunting of large whales, and a number of nations continue the practice of commercially harvesting dolphins and porpoises. Two of these nations—Japan and Norway—have even hired lobbyists and public relations firms to try to convince the American people that commercial whaling is fine. House Concurrent Res-



olution 34 will make clear to them that the American people have chosen to look forward, not backward, on this issue. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say at the outset that I wish to commend the chairman of the full committee, the gentleman from Massachusetts [Mr. STUDDS], for the very thoughtful statement, as well as to say that I think it is very important to recognize that the chairman has seen to it that this bill reach the floor in a very quick manner.

This is a very important subject, one that is very important to the chairman and to others who care about these types of issues. To have it on the floor as one of our first measures of business in this session I think is quite commendable.

Mr. Speaker, I rise in support of House Concurrent Resolution 34 which expresses the support of Congress for continuing the international moratorium against the commercial harvest of whales and support for international efforts to establish a whale sanctuary.

Although many people may think the practice of commercial harvest for whales is a permanent entry in the history books, they could be very well mistaken. At this year's annual meeting of the International Whaling Commission in May, there will be efforts by some nations to resume commercial whaling once again.

Only half a century ago, many species of whales were pursued to the brink of extinction. At the time, the only thing understood about these creatures were the profits they afforded from commodities—commodities which are now antiquated and no longer valued or necessary in modern societies.

The International Whaling Commission, organized 47 years ago, was a milestone for internationally recognizing the need for conservation and the mutual stewardship which must exist between nations.

Since that time, some whale stocks appear to be rebuilding. Others, however, continue to decline and some species may never recover. More importantly, we remain woefully ignorant about these creatures and how their health and abundance relates to the general health of our ocean environments.

The impacts of marine pollution, habitat destruction and other disturbances in the marine environment that may be harmful to the recovery of these animals are, for the most part, unknown.

As humans, we have an instinctive respect and curiosity for these intelligent creatures whose near extinctions challenge our own intelligence to man-

age the natural resources and global commons on which we all depend.

The for profit harvesting of whales is an unnecessary and primitive behavior that has no purpose in an increasingly interdependent world.

I urge my colleagues to once again support this resolution and put an end once and for all to commercial whaling today.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume to commend the distinguished gentleman from New Jersey [Mr. SAXTON], the ranking member of the Subcommittee on the Environment and Natural Resources. The gentleman is proof positive that there are still genuine conservatives over there. I really appreciate that.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Connecticut [Mr. GEJDENSON].

□ 1320

Mr. GEJDENSON. Mr. Speaker, I thank the gentleman for yielding time to me, and for his leadership on this and so many other issues.

Mr. Speaker, as we look at our actions historically on saving the whales, from my State, as from Chairman STUDDS' State, a State with a significant history of whaling, it seems to me that to undo what we have accomplished over the past several years in trying to restore whale populations makes no sense. There is no economic justification, particularly, for the United States, for countries who are apparently interested in resuming the hunt for whales, if we care about the ecosystems on this planet, and the oceans being the most critical one, bringing the whale populations back to where they were 100 or 200 years ago is still an important issue before us, so I believe the action we take today will hopefully send a strong message to those countries around the globe who think that they can resume the hunt and slaughter of these great whales.

Mr. SAXTON. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina [Mr. RAVENEL], a gentleman who has worked so hard on conservation and environmental matters.

Mr. RAVENEL. Mr. Speaker, I would just like to say a few words about whales. Those Members who have been around a while here in Congress have heard me on the subject before. They have heard me give those nations of the world who have been killing the whales unmitigated Hades about it. They have heard me wind up my little talks with "Shame on you, Japan; shame on you, Japan," and I think that that has had some good.

Americans and environmentalists and people who love nature all over this world, they have a love affair with whales. Consider the blue whale. It grows to over 100 feet in length. Imag-

ine that. It is the largest creature that has ever lived on the face of this Earth, the blue whale. Its heart is the size of a Volkswagen beetle. A man, a grown man, can crawl around in the arteries of the blue whale.

All of us have been to the zoo, and those of us that have been to Africa, we have seen mature elephants. The blue whale is the size of 12 mature bull elephants. Imagine that. Those creatures, those blue whales whose number had gotten down to below 2,000, they are still living on the face of this Earth since the moratorium has been in effect. We understand now, and we hope that the figures are correct, that the numbers of blue whales now exceed 10,000.

The great whales over on the west coast have been a great success story. They used to go down to the lagoons there in Mexico, and they were just slaughtered almost to extinction. Because of the moratoriums, now their numbers are approaching 20,000. The humpbacked whales, both on the east coast and on the west coast in the north Pacific, they sing, and the Members probably have heard whale songs on radio or on television. They have seen the television shots of the whales. However, the right whale, which is up and down the east coast, has not recovered. Their numbers number around 375 to 400, and we have been able to track them. There are so few that we know exactly what individuals exist. They only have a natural increase of about a dozen a year in a good year. They swim up and down the coast in the shipping channels and a lot of them get hit by ship propellers, and pollution is also affecting their reproductive rate.

That particular species of whale, known as the right whale because it was the right whale to kill, when they killed that whale, for some reason, it floated and they never lost any. They were able to bring them in and cut them up for their oil.

The moratorium has been good for the whales of the world. The moratorium is supported generally by the people that inhabit this planet. Whales are just out there in family groups. They don't do anybody any harm. They just swim, tend to their own business. As the chairman has said, they provide great recreational opportunities for people who just like to go and see them.

I have never seen a whale. Maybe I will never see one, but just the knowledge that they are out there still alive, the greatest creatures that ever inhabited the face of this Earth, just gives me a good feeling. I am just so delighted here today that this House is going to pass, I know by an overwhelming margin, this resolution.

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, while I rise in support of the motion to suspend the rules and pass House Concurrent Resolution 34 opposing any resumption of commercial whaling, I would, however, like to voice my concerns that the administration failed to provide our Committee on Foreign Affairs with a spokesman in our consideration of this measure earlier today to discuss the administration's position on this measure.

Since the government of Norway has informed us that there are ongoing negotiations between Norway and the United States with regard to this issue, and since there is some conflicting scientific data with regard to the necessity of protecting the minke whale, in my view, we should hold hearings on this vital subject allowing our committee to more closely examine its international implications. Furthermore, it is my understanding that there are now ongoing international discussions among several IWC Commissioners on this issue. We should not unduly prejudice these discussions by precipitous action on our part.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to conclude by saying that I do not believe there is any opposition to this measure in the House, at least none that is discernible that I can detect.

Mr. Speaker, I would just like to say that the chairman and other members of the Committee on Merchant Marine and Fisheries, the gentleman from South Carolina [Mr. RAVENEL] and others who are members of this committee, because we care so very deeply about the health and welfare of the ocean environment, I think this serves as a very good example of the types of things that are of special nature that the Committee on Merchant Marine and Fisheries is and will be dealing with under the leadership of our chairman, the gentleman from Massachusetts [Mr. STUDDS].

Inasmuch as this is a noncontroversial issue, it does serve as an example of the kind of work that the Committee on Merchant Marine and Fisheries does and I hope will productively continue to do in the future. I am sure it will.

Mr. STUDDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just take a moment to acknowledge and thank the gentleman from New Jersey [Mr. SAXTON] for his kind remarks, and to observe in response to the remarks of the gentleman from New York [Mr. GILMAN], while I have not spoken directly with people in the administration, the new administration, on this question, I think in large measure because they do not have their telephones connected yet, I can assure the gentleman that there will be at least as intense a degree of love for the critters

we are discussing as there was in the preceding administration. The gentleman need not worry about being overly bold in expressing the sense of Congress that we ought not be killing them.

If the gentleman has any doubts about that, I would refer him to his colleague, the gentleman from South Carolina.

I just want to say, Mr. Speaker, that I cannot believe, after the impassioned defense of these marine mammals offered by the gentleman from South Carolina [Mr. RAVENEL], that he concluded his remarks by saying that he had never met one. I am sorry he is not here, because he now is in possession of several invitations to meet and commune and converse with them, and I can assure him that they will agree with every word that he said.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. STUDDS. I yield to the gentleman from New York.

Mr. GILMAN. Ray Androtto of the Oceans and Environmental and Scientific Affairs Bureau of the State Department stated today that there are not currently any formal negotiations with the Norwegians on the issue of whale harvesting; however, the United States IWC Commissioner and the Norwegian IWC Commissioner have met several times to discuss this issue informally. The International Whale Commission has its formal meeting during the last week of April and first week of May and this issue will be discussed. The United States Whaling Commissioner plans to go to an informal meeting of IWC Commissioners this week to discuss this and other issues.

□ 1330

All I am urging is why not give the Commission the opportunity to make its report to the Congress before we act precipitously.

Mr. STUDDS. Let me say to the gentleman that I think he is going to have to live with the distinct possibility that the Norwegians are just plain wrong, and the people of the United States, in this country, and the peoples of most of the rest of the world are right in their impassioned insistence that we not resume commercial harvest of whales period. I realize that that may lead to difficult negotiations with Norway and possibly with Japan, but I do not think we should for 1 minute hesitate to reaffirm what has been the Commission's position and the position of this country for as long as I can remember, and hopefully, and I am confident will remain its position with the new administration. We do not have an Assistant Secretary, as the gentleman well knows, and I do not know from what sub-Cabinet level or sub-agency or department level the gentleman gets his information, but as

soon as they have a boss, I am sure that those concerns will be straightened right out, very promptly.

I had hoped that this would not be a matter of any controversy at all, and I suspect that the gentleman may hear from some of his own constituents who share the passion of the gentleman from South Carolina.

In any event, I would urge Members to reaffirm in the clearest and the strongest possible terms the objection of this Congress and of this country to the resumption under any circumstances of the commercial harvest of whales.

Mr. YOUNG of Alaska. Mr. Speaker, I normally do not agree with the sort of rapid action that is occurring today in regard to this resolution. I would much prefer that matters follow the normal process of going through hearings and committee markup. However, knowing of the strong interest that the authors of this resolution have in the subject, I have decided not to object.

Nevertheless, I want to take a few moments to caution my colleagues on the issue before us today. Americans have, for the most part, become convinced that harvesting whales is bad. They think whales are endangered and they have moral objections to killing whales. Unfortunately, we have tended to let our emotions interfere with the truth.

Are whales endangered? Some are; many are not. In fact, the California gray whale was recently removed from the endangered species list. If science, rather than emotions, were considered, many other species should be removed as well.

Is killing whales wrong? It is if you are an urban resident who doesn't depend on whale meat. It is not if you are an Alaska Native who relies on harvesting bowhead whales for subsistence. It is also not wrong if a carefully controlled harvest for genuine food, cultural, and religious purposes is allowed.

Too often, we in this country extend our morals to other people without thought to what we are doing. Whaling is a good example. I think it is time that we reconsider our actions at the International Whaling Commission. We don't need factory fleets hunting down the last of an endangered species. However, we should give every consideration to the morals and traditions of other nations, just as we ask them to consider our own.

Mr. FIELDS of Texas. Mr. Speaker, I rise in support of House Concurrent Resolution 34. This resolution calls for a U.S. policy that would maintain the current International Whaling Commission [IWC] moratorium on commercial whaling. This moratorium, which has been in effect since 1986, prevents the depletion of these marine mammals as a result of direct commercial harvest. It is my hope that the IWC, using the best scientific information available, will continue to work with all nations to manage and conserve whales. Likewise, countries like Japan should not proceed with the taking of whales for their own use unless sanctioned by the IWC.

Mr. Speaker, I support adoption of this resolution for it will assist the United States in its negotiations with other countries in preparation for the upcoming IWC meetings.



Mr. STUDDS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 34, as amended.

The question was taken.

Mr. SOLOMON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### EXPORT ADMINISTRATION ACT EXTENSION

Mr. GEJDENSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 750) to extend the Export Administration Act of 1979 and to authorize appropriations under that act for fiscal years 1993 and 1994.

The Clerk read as follows:

H.R. 750

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Section 18 of the Export Administration Act of 1979 (50 U.S.C. App. 2417) is amended by striking subsection (b) and inserting the following:

"(b) AUTHORIZATION.—There are authorized to be appropriated to the Department of Commerce to carry out the purposes of this Act—

"(1) \$42,813,000 for the fiscal year 1993;

"(2) such sums as may be necessary for the fiscal year 1994; and

"(3) such additional amounts, for each such fiscal year, as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other non-discriminatory costs."

#### SEC. 2. EXTENSION OF THE ACT.

Section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419) is amended by striking "September 30, 1990" and inserting "June 30, 1994".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut [Mr. GEJDENSON] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. ROTH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, all we do here today is to guarantee that the failure to pass an export administration act does not allow important controls by the United States to lapse, particularly in the area of high-technology items going to terrorist countries, issues like the antiboycott legislation.

As the result of a veto of an earlier version of this bill, the Commerce De-

partment now feels itself vulnerable to legal action that would undercut their authority to control items that are of a significant nature in their technological capability to add to other countries' nuclear, chemical, or biological capabilities. These are items that we want to control, we want to make sure that the Commerce Department has the legal authority to control.

The act expired in 1990. Since that time we have been operating under emergency authority. But people within the Commerce Department feel that that power is subject to legal challenges. So what we are doing here today is simply doing an extension of the legislation until we can have a more comprehensive review that we would work out with the administration.

H.R. 750 is a simple extension of the Export Administration Act. It is cosponsored by the distinguished ranking member of the subcommittee, Mr. ROTH, and myself.

The bill will extend the Export Administration Act until June 30, 1994. This temporary extension does not change any of the provisions of the EAA.

The bill also authorizes the existing appropriation of \$42.8 million for fiscal year 1993 and such sums as may be necessary to carry out the export licensing and enforcement activities for fiscal year 1994.

This temporary extension is essential because:

The EAA expired on September 30, 1990; since that time we have been operating under emergency residual authority which does not provide the same ability to enforce our export control laws; in order to ensure proper enforcement of these laws, we need to pass EAA;

The use of residual authority is coming under increasing legal question, raising the risk that a violation of the act could avoid penalty; this could jeopardize export controls and our national security;

The temporary extension should preclude legal problems while the Congress rewrites the act;

This bill will give us until June 30, 1994, to totally rewrite EAA; the EAA is a relic of the cold war and needs to be rewritten to reflect the new security risks facing the United States, especially those posed by the proliferation of nonconventional weapons.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I am happy to yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, I just had one brief question. The authorization level I believe is higher than last year. Can the gentleman tell me how much higher it is?

Mr. GEJDENSON. The level in the bill only reflects the appropriations level that already passed the House and

the Senate and has been signed into law.

Mr. BURTON of Indiana. It is higher than it was last year, is it not?

Mr. GEJDENSON. I think it is slightly higher. If the gentleman will give me as second, I will get that number for him.

Mr. BURTON of Indiana. I thank the gentleman.

Mr. ROTH. Mr. Speaker, I yield myself such time as I may consume.

The answer to the last question is that it is actually somewhat lower than it was 2 years ago, according to the graph we have, and I am happy to share that with the gentleman from Indiana.

Mr. Speaker, the bill, H.R. 750, is a temporary reauthorization of the Export Administration Act.

Enactment of this bill is essential, as the chairman of the subcommittee pointed out, because legal challenges are mounting to our export control system.

In September 1990, the Export Administration Act lapsed, and for 3 years Congress has not completed action on a new authorization. During this period our export control system has been operated under Executive order, and the President has used emergency authority to keep the system going.

But there are several legal challenges to the use of this emergency authority to enforce export controls. This is significant because several of these challenges have been made by the Commerce Department's own administrative law judges, the very officials who must adjudicate export control cases. And while none of these challenges has been fully litigated, we may well lose one of these cases.

If that happens, the Federal Government would not be able to enforce our export control laws, and a violator might get away without a penalty. And more important, sensitive technology might make its way to dangerous countries like Iraq, or Libya, or North Korea.

Aside from the legal challenges, the current emergency authority provides only limited law enforcement authority, for example, for search warrants and arrest powers, and the confidentiality of proprietary business information. All are now subject to legal questions. Enactment of our bill will put the export controls back on a sound statutory basis and put an end to these legal challenges.

In this House there are a number of Members with a wide range of views on what should happen to export controls. But I trust that no Member wants a violator of the law to slip through a loophole, and no Member wants sensitive technology to get into the wrong hands because of a legal technicality. Therefore, all Members should support this bill today. It does not prejudice their

position on the larger question of revising the Export Administration Act.

Indeed, our committee will use this period to completely rewrite the Export Administration Act. My understanding is that the other body is also committed to a complete rewrite, and the timeframe in our bill today is the period required to complete this rewrite. I would have preferred a shorter extension, but the other body has advised us that they need this time because of a change in chairmanships.

A complete revision of the export controls is now long past due. American high technology in machine tools, computers, aerospace, and electronics all depend on exports to survive.

The current export control system is an outmoded artifact of the cold war. Export controls deny American exporters the right to compete with companies in other countries. This is something that we must be very much concerned about.

Export controls prevent exports to countries that are now our strategic allies, countries which are now joining NATO, countries with which we share intelligence, and countries which are crucial to controlling weapons of mass destruction.

U.S. export controls deny American companies the ability to export, when our closest allies often permit such exports.

In short, this situation makes no sense. In the post-cold-war era, we have to start from scratch and devise an export control policy that reflects our economic security, a policy that controls only what has to be controlled and what we can control, and a policy that allows American high-technology industries to compete in the world markets.

□ 1340

All of that work is ahead of us, and we are going to complete that work. But today we are dealing with an immediate problem.

I urge my colleagues to vote with our committee and with our chairman for H.R. 750, and to work with our subcommittee in the coming months to bring an export control system that can truly make us competitive and keep us competitive in not only the 1990's but as we move into the 21st century.

Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER], who does a great deal of work on this issue, and we are proud of his contribution.

Mr. BEREUTER. Mr. Speaker, I thank the ranking member for his kind words. I join him and the chairman of the subcommittee in urging support of this legislation.

Because we have failed to reauthorize the Export Administration Act, we have had to rely primarily on the International Emergency Economic

Powers Act, or IEEPA. The distinguished gentleman from Wisconsin has already mentioned some of the problems of having to rely on IEEPA. In the absence of the Export Administration Act, in authority to the Commerce Department, he mentioned, for example, that they do not have the ability to seek search warrants under IEEPA as they do under the EAA.

Mr. Speaker, problems created by the lapse of the authorizing legislation for the regulation of exports, the Export Administration Act include the following points.

Under International Emergency Economic Powers Act [IEEPA] the U.S. Government cannot impose penalties as severe as those available under the Export Administration Act [EAA]. For example, under IEEPA, civil penalties are limited to \$10,000, whereas under the EAA the maximum civil penalty for violation of national security controls is \$100,000.

IEEPA criminal penalties are capped at \$50,000, while EAA criminal penalties go up to the greater of \$1 million or five times the export value. In addition, IEEPA lacks express provision for denying the export privileges, a key sanction and diversion prevention measure.

The EAA gives Commerce's special agents some vital investigative powers—for example, the ability to execute search warrants and to arrest suspected export control law violators. The IEEPA has no similar provision, so Commerce agents have had to undergo a series of limited term deputizations by the U.S. marshals in order to carry out these functions.

There have been many challenges to Commerce's export control authority under IEEPA. Commerce has sought to defend the legality of its actions, but a number of issues are in litigation or are otherwise in limbo.

Continuously answering these challenges to Commerce's authority diverts scarce financial, technical, and legal resources from the real job at hand—administering an export control program that carefully balances U.S. economic concerns with our national security concerns.

For example, Commerce is being sued for its attempts to protect the confidentiality of information received from business in connection with export license applications while IEEPA has been in effect. Section 12(c) of the EAA would provide strong protection from forced public disclosure of such information under Freedom of Information Act [FOIA] actions, while providing for congressional access to the data.

The confidential treatment of business-related information is one of the basic assurances that Commerce uses to ensure that U.S. exporters provide complete and accurate information on export license applications. It is fun-

damental to Commerce's ability to effectively implement its export control system.

A successful challenge to 12(c) procedures under IEEPA: could lead to public disclosure of competitively significant information; expose firms to public pressure, even though they were engaged in legitimate export trade consistent with published U.S. policies; would discourage exporters from providing the complete information that Commerce needs to make informed export licensing decisions; and could cause U.S. firms to forego legitimate export opportunities rather than risk having proprietary information disclosed.

The IEEPA does not address the prevention of cooperation by U.S. persons with the Arab boycott of Israel, a matter very important to this administration, that is well covered by the EAA. Government assertions that IEEPA is broad enough to support antiboycott regulations have been questioned. No court has yet ruled on this issue.

The EAA provides for an administrative law judge [ALJ]. An ALJ raised many questions related to the EAA's lapse, including the basis for an ALJ to handle administrative enforcement proceedings and the authority of the Under Secretary for Export Administration, whose position is also provided for under the EAA.

Rulings by the Under Secretary for Export Administration have rejected such ALJ positions on enforcement authority, but these rules remain subject to court review.

Mr. Speaker, for these and other reasons I urge my colleagues to support the passage of this resolution.

Mr. ROTH. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN], the ranking member of the Committee on Foreign Affairs, who has helped us and has been a great mentor for us in this area, and we appreciate his help.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time and for his kind words.

Mr. Speaker, I rise in support of the motion to suspend the rules and pass H.R. 750, a bill to extend the Export Administration Act of 1979 through June 1994 and I commend the gentleman from Connecticut [Mr. GEJDESON], the distinguished chairman of the Trades and Environment Subcommittee and the gentleman from Wisconsin [Mr. ROTH], the subcommittee's ranking member. This morning, House Foreign Affairs Committee considered this legislation and sent it before the House without change.

This act expired in September of 1990. In the interim, the previous administration has invoked the authority of the International Emergency Economic Powers Act as the underlying authority to continue our export control system.



This stop-gap expedient was required in light of the unsuccessful efforts during the last Congress to enact a more comprehensive EAA bill, marked by controversy over our nuclear export control policy and the role of the Defense Department in the licensing process.

I am pleased that our colleague, Mr. GEJDENSON, the chairman of the Trade and Environment Subcommittee, and the sponsor of this legislation, has finally agreed to what Republicans have been urging Democrats to do for the last 2 years—a simple reauthorization of EAA, and an end to the legislative gridlock on this important measure.

Its enactment today is essential. It will put to rest any confusion about the legal basis of our export control system and will send a clear message that Congress intends to play a key role in this critical area of our national security and foreign policy.

Its approval today is, of course, only the beginning of the process of overhauling this system so that it can meet the challenges of the post-cold-war period.

Today, let us pass this interim measure that not only strengthens the ability of the Department of Commerce to enforce our national security and foreign policy controls, but also ensures compliance with the antiboycott regulations essential in our efforts to counter the Arab embargo of Israel.

The Secretary of Commerce, Mr. Ronald Brown, with regard to this legislation, has urged, in a letter dated February 12, 1993:

\*\*\* A short-term extension of the EAA would provide an opportunity for the administration and the Congress to collaborate in a major refashioning of this statute—one that will not only reflect regulated improvements already adopted by the Department of Commerce, but also reflect the enormous changes in world conditions that have occurred since the act expired.

Accordingly, Mr. Speaker, I urge my colleagues to join me in supporting this legislation.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to thank the gentleman from Wisconsin [Mr. ROTH], the gentleman from Nebraska [Mr. BEREUTER], in particular, for the help they have always provided us in the subcommittee, the gentleman from New York [Mr. GILMAN], and others who have worked with us on these kinds of issues, and particularly point out the great work done by Ed Rice on the minority side and John Scheibel on the majority side on this issue.

This is a working team. We have worked together for a number of years, and we really appreciate their contribution and the working relationship we have developed.

It is critical that we develop an export policy that allows us to trade with friendly democratic nations, to make

sure that American industry and workers are not disadvantaged when we try to sell products overseas when there is no national security risk. We also need to make sure that when there is a danger of diversion of these kinds of technologies that would aid the nuclear or chemical or biological capabilities of terrorist countries that we have the toughest possible controls, and that those controls be multilateral as often as possible.

Mr. Speaker, I reserve the balance of my time.

Mr. ROTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to take a couple of seconds, because I cannot let the chairman get by with giving out all of the accolades to the committee staff. I need to have them working for me, too. There is no more knowledgeable committee staff than John Scheibel. He has always been a real pleasure to work with.

Mr. Speaker, I want to say that Ed Rice's Republican credentials are now in question.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. MANZULLO].

Mr. MANZULLO. Mr. Speaker, I rise in support of H.R. 750, which would extend the Export Administration Action of 1979 until June 30, 1994.

No one is particularly pleased with this legislation. I wish we were able to bring a bill to the House floor that would totally rewrite the Export Administration Act. We need a new export control system that recognizes new threats to our national security while freeing up American business to compete in newly open markets in the former East bloc.

Mr. Speaker, I am inserting the remarks of Arthur Charles of Sundstrand Corp., who is extremely interested in a new Export Administration Act that will simplify the incredible bureaucratic quagmire of dual-use technology licensing.

Mr. Speaker, every day we delay, we lose potential customers to our competitors overseas. I stand ready to work with my colleagues on the Foreign Affairs Committee to redraft the Export Administration Act.

But we need this short-term legislation now to make sure that any potential violators of our export control laws do not get off scot-free because of a legal technicality. We can't have someone sell sensitive technology to Iran or Syria and then have a judge throw out the case because there is no export control system in force.

No one, least of all me, is particularly thrilled about this legislation. But it is a basic first step toward putting together a new export control system in place to catch potential violators. I urge my colleagues to support H.R. 750.

## IMPEDIMENTS OF EFFECTIVE APPLICATION OF "DUAL USE" TECHNOLOGY

### THE STATUTES AND REGULATIONS

Currently the U.S. has two separate major export control statutes:

Export Administration Act (EAA).

Export Administration Regulations (EAR).

Covers items that are inherently commercial in nature (Articles and Technical Data for civilian use).

Administered by the Department of Commerce.

Arms Export Control Act (AECA).

International Traffic in Arms Regulations (ITAR).

Covers inherently Military Items (Defense Articles and Defense Services).

Administered by the Department of State.

It must be noted that virtually all exports from the U.S. are controlled by these two statutes.

### POLICY OBJECTIVES

In the past the distinction in purpose between these two statutes seemed reasonably clear. The charter of the AECA has been to restrict the dissemination of weapons to our potential enemies and to discourage arms races and possible resulting conflicts. The policy of the EAA was to restrict exports which would make a significant contribution to the military of any country which would be detrimental to the National Security.

Emerging technologies, the changing world political climate, and new defense initiatives have caused the State and Defense Departments to reassess their control over dual use items. Recent dual use decisions issued by the State Department certainly cloud which statute and agency has control of an item or technology.

### DUAL USE

Dual Use Items are those which can be used for both military and civilian purposes, and fall under the control of the EAR.

Items cannot be included on both the Export Control list and the United States Munitions List.

Therefore a determination of Commodity Jurisdiction between Commerce and State must be made to understand the authority under which an article may be exported.

Both Departments have procedures to give the Exporter guidance.

Commerce Department: Commodity Classification EAR 779.(e)(1).

State Department: Commodity Jurisdiction ITAR 120.5.

These two procedures are similar in many respects, but the State procedure has one important element that Commerce does not.

ITAR definitely informs the exporter whether the EAR or ITAR controls the export of an item. This is because under ITAR 120.5, State is required to obtain the views of Commerce and DoD before issuing a C.J. By contrast, Commerce is not required to obtain State's and DoD's views before issuing a commodity classification. Therefore State becomes the determining Agency in deciding what items are Dual Use.

### POLICY

The criteria stated in 120.3 of the ITAR sets out the policy of what items should be on the U.S. Munitions List.

"Designations of Defense Articles, and Defense Services are based primarily on whether an article or service is determined to be inherently military in character, and whether it has a predominantly military application is also taken into account. The fact that an article or service may be used for military and civilian purposes does not in and of

itself determine whether it is subject to the export controls of this sub chapter."

But,

Section 3.2(A) of the EAA states that it is the policy of the U.S. to restrict the export of goods and technology which would make a "significant contribution to the military potential of any other country or combination of countries which would prove detrimental to the national security of the United States." Section 5 of the EAA, which contains statutes related to national security controls, implements the policy of Section 3.2(A).

Although guidance is available to the exporter, the Acts themselves certainly do not provide clear guidelines as to which commodities are controlled under which Act.

This results in frequent Commodity Jurisdiction disputes between the Departments of Commerce and State, which causes the Department of Commerce to delegate decisions on Commodity Jurisdiction to the Department of State who has the principal role in effecting Commodity Jurisdictions under the AECA. In addition, the State Department will solicit the opinion of the Department of Defense (the keeper of the Munition List) and to our knowledge State has always ruled in accordance with the DoD recommendation. This results in an extremely conservative approach and favors placing perceived sensitive or controversial items on the Munitions List.

With this in mind, the impediments become the current issues of the day as well as processes which have been painfully lacking in the system for years.

#### IMPEDIMENTS OF DUAL USE

Less emphasis is being placed on East/West controls and the focus is more on North/South controls.

Enhanced Proliferation Control Initiative [EPCI] and the Missile Technology Control Regime [MTCR].

More and more military equipment being based on commercial products and technology causing State and DoD to argue that an increasing array of Dual Use items must be controlled under the AECA.

Disregard of the general policy set forth in the ITAR to determine what items belong on the Munitions List.

Use of ITAR to control foreign policy.

The government has no clear internal decision making process for making commodity jurisdiction rulings.

Inconsistent application of the process.

Lack of an inter-agency dispute resolution mechanism.

Foreign availability is very seldom considered in the decision making process.

Foreign competitors can often sell more freely in the global market place.

In practical terms, there are policy and bureaucratic problems. Disputes can and do arise among agencies as to the controlling authority of an item and industry and our foreign customers are caught in the middle.

#### EXAMPLES

A classic example of this bureaucracy was introduced by AIA in a testimony provided to various House Subcommittees.

"A company which manufactures fasteners, basically nuts and bolts, under license from a European firm, and also produced in Germany, France, and Japan. These fasteners are used in automobiles, railroads, and bridges, as well as to fasten aircraft skin to frames, and had for years been exported under a G-Dest license. Last year, during a routine inspection, Customs detained a shipment (worth \$150,000) destined for the United

Kingdom. Customs determines that the fasteners would be used in work related to fighter aircraft and asked State whether a munitions license was required. State responded that since the end-user was military, State had proper jurisdiction. Customs was instructed to seize the shipment. The exporter was then subject to a fine and notified that the item could only be exported as a Munitions List item.

The company appealed to Commerce for a commodity classification, stating that while the fasteners met military specs, they were not designed for the military, had numerous civilian applications and were readily available worldwide. Commerce agreed. What followed was a lengthy and costly appeal through the highest levels of both agencies before State agreed that the shipment could be properly exported under a G-Dest license.

Sundstrand is no stranger to this process. Sundstrand was recently told that on a commercial product that Sundstrand has sold for 40 plus years that by drilling an additional hole in the mounting flange, changing the location of a sight glass, or reconfiguring a housing in order to fit a military application, the item was now modified for military use and considered to be on the U.S. Munitions List.

Another example of this attitude is reflected in the treatment of a device we make to measure the inclination of the drill hole of an oil well. Because this particular device utilized the technology embodied in accelerometers, which are used in aircraft and missile guidance systems, the Department of State, and Defense determined that this down hole device could be modified to be used in aircraft and missile guidance systems; therefore, belonged on the Munitions List. This determination was made even though the device was specifically designed for commercial application and the sensing and scale factors were completely different from those used in guidance systems. This device does not navigate, it only measures the inclination of a hole and also utilizes the casing as an electrical ground, rendering it virtually impossible to be used in an airborne system. Despite all of these conditions, the State Department has maintained the export control of this item.

#### SOLUTIONS

Commerce Departments definition of dual use must govern State Department jurisdiction decisions.

Better definition of what constitutes a Dual Use Item based on the function of an item. The State Department believes this will be accomplished in the new proposed ITAR and EAA, but in reality will most likely add more confusion to the process. It appears a new ITAR will not be reality until after first of the year and with Congress failing to pass the EAA it may be another three years before we see an approved act if a new administration is elected.

Foreign availability of commercial products should be considered in all cases.

Stop the use of ITAR as a mechanism to enforce foreign policy.

#### SUMMARY

This is not a perceived problem, but is real in that it affects the ability of a U.S. company to compete on an equal basis overseas with a foreign company that is not subject to these cumbersome rules. The last example cited clearly illustrates one of the many problems we face when an item is subject to ITAR. That is, there are no permissive reexport rules and therefore any foreign customer still would require the approval of

U.S. Department of State to move the device from country to country, even to send the device back to the U.S. for repair.

Why should a foreign company buy a U.S. product subject to this hassle factor when the same product is available from a foreign supplier without strings attached.

We must continue to press the Government Agencies involved to further define and streamline this process in order to provide U.S. industry a level playing field when competing with U.S. commercial (dual use) products in a global market place, while still recognizing and protecting significant national security interests.

In these times of diminishing U.S. industrial base, dwindling foreign market shares and gross U.S. imbalance of payment problems, it is contrary to the best interests of the U.S. to continue to impose their burdensome regulations on sales of commercial U.S. products abroad. If this trend is not turned around we will surely be looked upon as unreliable suppliers and ultimately lose not only our competitive edge but our marketplace to foreign competitors.

Industry, DoD, State Department and Commerce Department must all work more closely together to establish clearer guidelines for the export license process, speeding up the process, the defining Dual Use technology/products. Otherwise, we may have won the Cold War but we can lose the Economic War globally.

Mr. HAMILTON. Mr. Speaker, I rise in support of H.R. 750.

This bill is a simple piece of legislation. It authorizes the Export Administration Act [EAA] through June 30, 1994, and authorizes funding to carry out the act for fiscal year 1993 and fiscal year 1994.

The statutory authority of the Export Administration Act expired on September 31, 1990.

The act's authorities have been extended since then through executive order under the authority of the International Emergency Economic Powers Act [IEEPA].

In 1990, the Foreign Affairs Committee reported legislation, H.R. 4653, that would have reauthorized and revised the Export Administration Act, but the conference report on that bill was pocket vetoed.

The committee moved H.R. 3489, an updated version of that bill, in 1992, but the conference report for that bill died in the rush of business at the end of the 102d Congress.

The committee is not seeking to revive H.R. 3489 because the core of that bill was drafted 4 years ago and has been overtaken by world events and by administrative action.

Furthermore, there is a growing consensus that we need a comprehensive rethinking and rewriting of U.S. export control authorities—a review not just of national security export control authorities, but also of the various export control proliferation regimes.

The committee is moving this extension of the Export Administration Act because questions have been raised concerning the validity of extending all provisions of the EAA through IEEPA. This extension will also give the Congress and the executive branch 16 months to review and rewrite the Export Administration Act.

I look forward to working on this complex, but important, legislation with President Clinton, with the chairman of the Subcommittee on Economic Policy, Trade, and Environment, Mr. GEJDENSON, and with our ranking members, Mr. GILMAN and Mr. ROTH.



I urge members to support H.R. 750.

Mr. KYL. Mr. Speaker, I rise today to commend the Foreign Affairs Committee for proceeding with a straight reauthorization of the Export Administration Act [EAA] without any further changes to the authority and role of the Department of Defense as proposed in previous years.

As a member of the House Armed Services Committee, I have been concerned that certain legislative proposals to reform the EAA would result in further diminution of the all-important national security perspective in the process of reviewing export licenses for sensitive dual-use technologies.

Given the dramatic examples of military goods improperly being exported to Iraq and the continuing changes in the global security environment, it is essential that we retain a strong and vigilant export control process to guard against the proliferation of sensitive dual-use and military technologies. Within the Government, the department most qualified to provide this perspective is the Department of Defense.

Mr. Speaker, of course we all want to support and promote the export of appropriate American products, but it is my hope that by proceeding with a straight reauthorization, the Congress and the administration can use the time afforded to arrive at a more effective export control policy properly balancing national security and the needs of business. A policy that is better attuned to the real and emerging threat of proliferation and the unique challenges it poses for our military forces.

Many of my colleagues on the House Armed Services Committee share this concern. We intend to continue pushing for a strong policy to keep sensitive military technologies out of the hands of future Saddam Husseins.

I look forward to working with my colleagues on the Foreign Affairs Committee toward this goal and with the new Secretary of Defense, Les Aspin, who has established the proliferation issue as one of his highest priority challenges.

□ 1350

Mr. ROTH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Connecticut [Mr. GEJDENSON] that the House suspend the rules and pass the bill, H.R. 750.

The question was taken.

Mr. BURTON of Indiana. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days in which to revise and extend their remarks on H.R. 750, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The SPEAKER pro tempore. Debate has concluded on both motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed today in the order in which the motions were entertained.

Votes will be taken in the following order: House Concurrent Resolution 34, by the yeas and nays; H.R. 750, by the yeas and nays.

The Chair will reduce to 5 minutes the time for each electronic vote after the first such vote in this series. There will be a 5-minute vote on the second bill.

#### OPPOSING RESUMPTION OF COMMERCIAL WHALING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 34, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 34, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 0, not voting 48, as follows:

[Roll No. 30]

YEAS—382

Abercrombie	Boehner	Conyers	Lancaster	Ravenel
Ackerman	Bonilla	Cooper	Lantos	Regula
Allard	Bonior	Cox	LaRocco	Reynolds
Andrews (ME)	Borski	Coyne	Laughlin	Richardson
Andrews (NJ)	Boucher	Cramer	Lazio	Roberts
Andrews (TX)	Brooks	Crane	Leach	Roemer
Applegate	Browder	Crapo	Lehman	Rohrabacher
Archer	Brown (CA)	Cunningham	Levin	Ros-Lehtinen
Armey	Brown (OH)	Danner	Levy	Rose
Bachus (AL)	Bryant	Darden	Lewis (GA)	Rostenkowski
Baesler	Bunning	de la Garza	Lightfoot	Roth
Baker (CA)	Burton	Deal	Linder	Roukema
Baker (LA)	Buyer	DeFazio	Lipinski	Rowland
Ballenger	Byrne	DeLauro	Livingston	Roybal-Allard
Barcia	Callahan	DeLay	Long	Royce
Barlow	Calvert	Derrick	Lowey	Rush
Barrett (NE)	Camp	Deutsch	Machtley	Sabo
Barrett (WI)	Canady	Diaz-Balart	Maloney	Sanders
Bartlett	Cantwell	Dickey	Mann	Sangmeister
Bateman	Cardin	Dicks	Manzullo	Santorum
Becerra	Carr	Dingell	Margolies-	Sarpalus
Beilenson	Castle	Dooley	Mezvinsky	Sawyer
Bereuter	Clay	Dreier	Markey	Saxton
Berman	Clayton	Duncan	Martinez	Schenk
Bevill	Clement	Dunn	Matsui	Schiff
Bilbray	Clinger	Durbin	Mazzoli	Schroeder
Billrakis	Coble	Edwards (CA)	McCandless	Schumer
Bishop	Coleman	Edwards (TX)	McCollum	Scott
Blackwell	Collins (GA)	Emerson	McCrery	Sensenbrenner
Bliley	Collins (IL)	English (AZ)	McCurdy	Serrano
Blute	Collins (MI)	Eshoo	McDermott	Sharp
Boehrlert	Combest	Evans	McHale	Shays
			McHugh	Shuster
			McInnis	Siskis
			McKeon	Skaggs
			McKinney	Skeen
			McMillan	Slattery
			McNulty	Slaughter
			Meehan	Smith (IA)
			Meek	Smith (MI)
			Menendez	Smith (NJ)
			Meyers	Smith (TX)
			Mfume	Snowe
			Mica	Solomon
			Michel	Spence
			Miller (CA)	Spratt
			Miller (FL)	Stark
			Mineta	Stearns
			Minge	Stenholm
			Mink	Stokes
			Moakley	Strickland
			Molinar	Studds
			Mollohan	Stump
			Montgomery	Stupak
			Moorhead	Sundquist
			Moran	Swift
			Morella	Synar
			Murphy	Tanner
			Murtha	Tauzin
			Myers	Taylor (MS)
			Nadler	Taylor (NC)
			Natcher	Tejeda
			Neal (MA)	Thomas (CA)
			Neal (NC)	Thomas (WY)
			Nussle	Thornton
			Oberstar	Thurman
			Obey	Torkildsen
			Oliver	Torres
			Ortiz	Towns
			Orton	Trafiacant
			Owens	Unsoeld
			Oxley	Upton
			Packard	Valentine
			Pallone	Velazquez
			Pastor	Vento
			Paxon	Visclosky
			Payne (NJ)	Volkmer
			Payne (VA)	Vucanovich
			Pelosi	Walker
			Penny	Waters
			Peterson (FL)	Watt
			Peterson (MN)	Waxman
			Petri	Weldon
			Pickett	Wheat
			Pickle	Williams
			Pombo	Wise
			Pomeroy	Wolf
			Porter	Woolsey
			Poshard	Wyden
			Price (NC)	Wynn
			Pryce (OH)	Yates
			Quillen	Young (AK)
			Quinn	Young (FL)
			Rahall	Zeliff
			Ramstad	Zimmer
			Rangel	

## NOT VOTING—48

Bacchus (FL)	Flake	Reed
Barton	Ford (MI)	Ridge
Bentley	Gallely	Rogers
Brewster	Gekas	Schaefer
Brown (FL)	Gibbons	Shaw
Chapman	Hefner	Shepherd
Clyburn	Henry	Skelton
Condit	Jacobs	Smith (OR)
Coppersmith	Kingston	Swett
Costello	Lewis (CA)	Talent
Dellums	Lewis (FL)	Torricelli
Dixon	Lloyd	Tucker
Doolittle	Manton	Walsh
Dornan	McCloskey	Washington
Engel	McDade	Whitten
English (OK)	Parker	Wilson

□ 1413

Mr. HOKE and Mr. MOAKLEY changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. COPPERSMITH. Mr. Speaker, I was unavoidably detained during roll-call vote No. 30.

Had I been present on the House floor during this vote, I would have voted "yea" on rollcall vote 30 calling for a continued U.S. policy of opposition to the resumption of commercial whaling.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which the vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

## EXPORT ADMINISTRATION ACT EXTENSION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 750.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut [Mr. GEJDENSON] that the House suspend the rules and pass the bill, H.R. 750, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 330, nays 54, not voting 46, as follows:

[Roll No. 31]

YEAS—330

Abercrombie	Andrews (ME)	Andrews (TX)
Ackerman	Andrews (NJ)	Applegate

Bacchus (AL)	Goodlatte	Meyers
Baessler	Goodling	Mfume
Baker (LA)	Gordon	Michel
Ballenger	Goss	Miller (CA)
Barcia	Grandy	Mineta
Barrett (NE)	Green	Minge
Barrett (WI)	Greenwood	Mink
Bateman	Gunderson	Moakley
Beilenson	Gutierrez	Molinar
Bereuter	Hall (OH)	Mollohan
Berman	Hall (TX)	Montgomery
Bevill	Hamburg	Moran
Bilbray	Hamilton	Morella
Bilirakis	Hansen	Murphy
Bishop	Harman	Murtha
Blackwell	Hastert	Myers
Bliley	Hastings	Nadler
Boehlert	Hayes	Natcher
Bonilla	Herger	Neal (MA)
Bonior	Hilliard	Neal (NC)
Borski	Hinchey	Oberstar
Boucher	Hoagland	Obeys
Brooks	Hobson	Oliver
Browder	Hochbrueckner	Ortiz
Brown (CA)	Hoekstra	Orton
Brown (OH)	Hoke	Owens
Bryant	Holden	Oxley
Bunning	Horn	Pallone
Buyer	Houghton	Pastor
Byrne	Hoyer	Paxon
Calvert	Huffington	Payne (NJ)
Camp	Hughes	Payne (VA)
Cantwell	Hutto	Pelosi
Cardin	Hyde	Penny
Carr	Inhofe	Peterson (FL)
Castle	Inslee	Peterson (MN)
Clay	Istook	Petri
Clayton	Jacobs	Pickett
Clement	Jefferson	Pickle
Clinger	Johnson (CT)	Pomeroy
Coleman	Johnson (GA)	Porter
Collins (GA)	Johnson (SD)	Poshard
Collins (IL)	Johnson, E.B.	Price (NC)
Collins (MI)	Johnston	Pryce (OH)
Combest	Kanjorski	Quillen
Conyers	Kaptur	Quinn
Cooper	Kennedy	Rahall
Coppersmith	Kennelly	Ramstad
Cox	Kildee	Rangel
Coyne	Kim	Ravenel
Cramer	Kleczka	Regula
Cunningham	Klein	Reynolds
Danner	Klink	Richardson
Darden	Kolbe	Roberts
de la Garza	Kopetski	Roemer
Deal	Kreidler	Ros-Lehtinen
DeFazio	Kyl	Rose
DeLauro	LaFalce	Rostenkowski
Derrick	Lambert	Roth
Deutsch	Lancaster	Roukema
Diaz-Balart	Lantos	Rowland
Dickey	LaRocco	Roybal-Allard
Dicks	Laughlin	Rush
Dingell	Lazio	Sabo
Dooley	Leach	Sanders
Durbin	Lehman	Sangmeister
Edwards (CA)	Levin	Santorum
Edwards (TX)	Levy	Sarpallius
Emerson	Lewis (GA)	Sawyer
English (AZ)	Lightfoot	Saxton
Eshoo	Lipinski	Schenk
Evans	Long	Schiff
Everett	Lowey	Schroeder
Fawell	Machtley	Schumer
Fazio	Maloney	Scott
Fields (LA)	Mann	Serrano
Filner	Manzullo	Sharp
Fingerhut	Margolies-	Shays
Fish	Mezvinsky	Sisisky
Foglietta	Markey	Skaggs
Ford (TN)	Martinez	Skeen
Fowler	Matsui	Slattery
Frank (MA)	Mazzoli	Slaughter
Franks (NJ)	McCollum	Smith (IA)
Frost	McCrery	Smith (NJ)
Furse	McCurdy	Smith (TX)
Gallo	McDermott	Snowe
Gejdenson	McHale	Spratt
Gephardt	McHugh	Stark
Geren	McInnis	Stenholm
Gilchrest	McKinney	Stokes
Gillmor	McMillan	Strickland
Gilman	McNulty	Studds
Gingrich	Meehan	Stupak
Glickman	Meek	Sundquist
Gonzalez	Menendez	Swift

Synar	Unsold	Williams
Tanner	Upton	Wise
Tauzin	Valentine	Wolf
Taylor (MS)	Velazquez	Woolsey
Tejeda	Vento	Wyden
Thomas (CA)	Visclosky	Wynn
Thomas (WY)	Volkmer	Yates
Thornton	Vucanovich	Young (AK)
Thurman	Waters	Young (FL)
Torres	Watt	Zeliff
Towns	Waxman	Zimmer
Trafigant	Weldon	
Tucker	Wheat	

## NAYS—54

Allard	Ewing	Mica
Archer	Fields (TX)	Miller (FL)
Armey	Franks (CT)	Moorhead
Baker (CA)	Grams	Nussle
Barlow	Hancock	Packard
Bartlett	Hefley	Pombo
Blute	Hunter	Rohrabacher
Boehner	Hutchinson	Royce
Burton	Ingils	Sensenbrenner
Callahan	Johnson, Sam	Shuster
Canady	Kasich	Smith (MI)
Coble	King	Solomon
Crane	Klug	Spence
Crapo	Knollenberg	Stearns
DeLay	Linder	Stump
Dreier	Livingston	Taylor (NC)
Duncan	McCandless	Torkildsen
Dunn	McKeon	Walker

## NOT VOTING—46

Bacchus (FL)	Flake	Ridge
Barton	Ford (MI)	Rogers
Becerra	Gallely	Schaefer
Bentley	Gekas	Shaw
Brewster	Gibbons	Shepherd
Brown (FL)	Hefner	Skelton
Chapman	Henry	Smith (OR)
Clyburn	Kingston	Swett
Condit	Lewis (CA)	Talent
Costello	Lewis (FL)	Torricelli
Dellums	Lloyd	Walsh
Dixon	Manton	Washington
Doolittle	McCloskey	Whitten
Dornan	McDade	Wilson
Engel	Parker	
English (OK)	Reed	

□ 1425

Messrs. McCANDLESS, BURTON of Indiana, KASICH, FRANKS of Connecticut, ROHRBACHER, and MILLER of Florida changed their vote from "yea" to "nay."

Mr. McHUGH changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. LEWIS of Florida. Mr. Speaker, due to a previous commitment in my district, I was unavoidably detained and therefore unable to vote on two bills which passed the House today.

Had I been here, I would have voted in favor of House Concurrent Resolution 34, a resolution expressing the sense of Congress that the United States remains opposed to the slaughter of whales in the world's oceans and must extend reasonable protection to the global population of dolphins and porpoises. I have cosponsored similar legislation in previous Congresses, and certainly support this most recent measure.

With regard to H.R. 750, while I understand the reasons behind this body's desire to expe-



dite the authorization of the Export Administration, I have concerns about the length and funding of this carte blanche reauthorization.

Certainly, we can make the necessary adjustments to the Export Administration Act within the next few months. There is therefore no need to reauthorize this agency to the tune of \$43 million in 1993 and such sums as may be necessary in 1994. In my opinion, this is an invitation to Government waste.

In keeping with my belief that all Federal agencies must be audited and pared to the bone, I cannot support such a reauthorization which does not make reforms that are undoubtably in order. Therefore, I would have voted against H.R. 750.

#### PERSONAL EXPLANATION

Mr. McCLOSKEY. Mr. Speaker, unfortunately, I had to miss two votes today, as my flight into Dulles Airport did not enable me to return to the floor in time for these two suspension matters. I would appreciate it if it is indicated that, had I been present, I would have voted "aye" on House Concurrent Resolution 34. I also would have voted "aye" on H.R. 750, the Export Administration Authorization Act.

#### PERSONAL EXPLANATION

Mr. WALSH. Mr. Speaker, due to a serious snowstorm in upstate New York, the airport in Syracuse, NY, was closed and I was unable to get a flight to Washington. I was, therefore, unable to vote on rollcall vote No. 30 and rollcall vote No. 31.

Had I been here I would have voted "yea" on rollcall vote No. 30 and "yea" on rollcall vote No. 31.

#### PERSONAL EXPLANATION

Mr. SMITH of Oregon. Mr. Speaker, I regret that I was unavoidably detained for rollcall votes No. 30 and No. 31, House Concurrent Resolution 34 to support the Whaling moratorium and H.R. 750, the Export Administration authorization.

Had I been present, I would have voted "aye" on both House Concurrent Resolution 34 and H.R. 750.

#### PERSONAL EXPLANATION

Mr. GEKAS. Mr. Speaker, a massive snow storm hit Pennsylvania creating treacherous travel conditions in the area. Due to this storm I was unable to travel from Harrisburg, PA, to Washington, DC, to vote. Had I been present I would have voted "yea" on rollcall No. 30, to agree to House Concurrent Resolution 34, opposing the resumption of commercial whaling, and "nay" on rollcall No. 31, to oppose House Resolution 750, the Export Administration Amendments Act.

#### WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 25

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that the name of Mr. ROBERT SMITH of Oregon be removed as a cosponsor of the bill, H.R. 25.

The SPEAKER pro tempore (Mr. THORNTON). Is there objection to the request of the gentleman from California?

There was no objection.

#### NATIONAL FFA ORGANIZATION AWARENESS WEEK

Mr. WYNN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 101) to designate February 21 through February 27, 1993, as "National FFA Organization Awareness Week," and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I yield to the gentleman from Oregon [Mr. KOPETSKI], who is the chief sponsor of this joint resolution.

Mr. KOPETSKI. Mr. Speaker, I thank the gentlewoman from Maryland for yielding.

Mr. Speaker, I want to thank the leadership of the Committee on Post Office and Civil Service of the House for expediting this piece of legislation.

Today we are considering House Joint Resolution 101, a joint resolution designating the week of February 21 through February 27, 1993, as "National FFA Organization Awareness Week."

Currently, the world marketplace is about 5.3 billion people for agricultural products. We know that U.S. agricultural sector is strong. For example, the United States has a \$7.5 billion surplus in agricultural products with the nation of Japan alone.

Agriculture contributes over \$900 billion to the U.S. economy, according to our new Secretary of Agriculture, Mr. Espy. My home State of Oregon is heavily involved in agriculture. We maintain a positive balance of trade out of our State, exporting over \$2 billion in agricultural products to the nation of Japan alone.

The United States has the most stable, affordable food supply in the world, and we should recognize the agricultural community for its contribution to American prosperity.

Mr. Speaker, I am sure we are all familiar with the excellent work of the national FFA organization. This group was previously known as the Future Farmers of America. The national organization was founded on November 20, 1928, as the leadership organization for students of agricultural education in our public school systems.

FFA fosters character development, responsible citizenship, and leadership skills, and training opportunities for students preparing for careers in agriscience, production agriculture,

and agribusiness. The FFA has succeeded magnificently in introducing a great many of our youth to civics, education and leadership through agriculture.

The national FFA organization is comprised of more than 400,000 youths in all 50 States and the territories.

Success in U.S. agriculture comes about because of such organizations as FFA. It does not come by magic. It comes by people who work hard and who dedicate themselves to the land and to the business and science of modern agriculture. It comes from smart people.

□ 1430

I am particularly proud of this resolution, Mr. Speaker, because students from my district originated this idea, students from the Silverton, OR, chapter of FFA. Silverton is a small town of about 5,000 people in the beautiful, productive Willamette Valley.

Mr. Speaker, last fall I visited Silverton High School and met with a student, Rebecca Fisher, spokesperson for Silverton High School's FFA organization, Silverton's 75-member FFA organization, and their adviser, agricultural science and technology instructor, Mr. Andy Bellando.

During this visit I suggested to the students that they get involved in the legislative process. I was very proud to see that they acted on my suggestion. This is their work product today. This shows that a good idea can still become a law in the United States, even from our young people.

Mrs. MORELLA. Mr. Speaker, when it comes to farming, most Americans want food that is inexpensive and safe to eat. Yet, family farmers comprise less than 3 percent of the population of our Nation, and that number is dwindling. Our hope for the future is with organizations like the Future Farmers of America.

Future Farmers of America is comprised of more than 400,000 high school students across the United States. Future farmers are trained at their various schools in different aspects of farming, and they are encouraged to become actively involved in their communities. Through programs, such as Project Pals, high school students are paired with younger students to stimulate an interest in agriculture. Other projects include working with disabled students, planting seeds, and encouraging an interest in the various aspects of farming.

Students who participate in Future Farmers of America programs learn leadership skills, based upon the principles of cooperation and family agriculture, that prepare them to take over the task of feeding our Nation. The Future Farmers of America is an essential organization that can revitalize the family farm and continue America's leading edge in agriculture. It is

my pleasure to salute this outstanding organization and to wish its members continued success as they face the challenges of the future.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as a farmer from Michigan who has gone through FFA and was a star farmer, I want to take this opportunity to strongly endorse this resolution and this program as a training and experience program that allows young agricultural and nonagricultural individuals to grow up with an understanding of agriculture and its contribution to our society.

Now that the American farmer is producing the food and fiber and a higher quality food and fiber to our people in this country at a smaller portion of the disposable income than any other country in the world, it is very proper that we pass this resolution.

Mr. Speaker, I am proud to be one of the cosponsors.

Mr. DE LA GARZA. Mr. Speaker, I am pleased to rise in support of House Joint Resolution 101, to designate the week of February 21 through February 27, 1993, as "National FFA Organization Awareness Week."

The National FFA Organization is one of our Nation's most successful nongovernment programs to help young people become more productive and responsible citizens. FFA is dedicated to fostering character development, agricultural leadership and responsible citizenship among students enrolled in approved agriculture education programs at our Nation's high schools.

Today's FFA is not limited to leadership training programs for future farmers. It also exposes high school agriculture students to career opportunities in agriscience, agribusiness, forestry and other agriculture-related professions.

It is also an organization whose members believe in the future of American agriculture.

Several years ago, in the wake of the height of the farm crisis of the early 1980's, I was a speaker at the annual convention of the national FFA organization. It was a time of great troubles in the agricultural economy. Yet when I asked the rhetorical question, "Is there a future for young people in American agriculture," the answer from the crowd of thousands gathered in the convention center was a deafening "yes."

Mr. Speaker, I am pleased to join with my colleagues in extending official recognition to the accomplishments and contributions made over the years by the national FFA organization and its members and alumni. I urge passage of this resolution.

Mrs. MORELLA. Mr. Speaker, I concur with the importance of this resolution and all that it connotes. I want to indicate not only my appreciation to the major sponsors but the fact that I am managing this on the floor with my new colleague, the gentleman from Maryland [Mr. WYNN].

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. THORNTON). Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the joint resolution, as follows:

#### H.J. RES. 101

Whereas the National FFA Organization was founded as a leadership organization for students of agriculture education in public schools;

Whereas each member lives by the FFA motto of Learning to Do, Doing to Learn, Earning to Live, Living to Serve;

Whereas the primary goal of the National FFA Organization is dedicated to develop competent agricultural leadership, citizenship, and cooperation;

Whereas the National FFA Organization is comprised of approximately 400,000 members in all 50 States, Puerto Rico, the District of Columbia, Guam, ROTA (Commonwealth of Northern Mariana Islands), Federated States of Micronesia, and the Marshall Islands;

Whereas the National FFA Organization prepares a student for post-secondary education or employment following high school;

Whereas the National FFA Organization is only open to those students enrolled in approved agricultural education programs;

Whereas the National FFA Organization was formally organized on November 20, 1928;

Whereas the National FFA Organization was organized to foster character development, agricultural leadership, and responsible citizenship and to supplement training opportunities for students preparing for careers in agriscience, production agriculture, and agribusiness; and

Whereas the FFA is a national organization of high school agriculture students preparing for careers in agricultural production, processing, supply and service, mechanics, horticulture, forestry, and natural resources; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the week of February 21 through February 27, 1993, is designated as "National FFA Organization Awareness Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. WYNN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on House Resolution 101.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### COMMENDING HON. HENRY J. NOWAK FOR HIS PUBLIC SERVICE

(Mr. QUINN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. QUINN. Mr. Speaker, today, on behalf of the people of Buffalo and surrounding areas, I would like to honor the work of our distinguished former colleague, and my friend, Henry J. Nowak.

As a local official who represented the town of Hamburg, I worked with Henry on numerous issues important to western New York. Henry had a style that I can only describe as warm, open, and bipartisan. Despite any ideological or political differences, Henry was first and foremost an advocate for western New York, our home.

Henry Nowak has always been a quiet man, letting his record speak for itself. I only have 1 minute here today, so I couldn't even begin to cite all of Henry Nowak's accomplishments here in Congress. But when I go home to Buffalo and western New York, I see Henry's work all around me. As chairman of the Water Resources Subcommittee of Public Works and Transportation, Henry was responsible for bringing almost \$1 billion into western New York. Any one visiting downtown Buffalo, the Waterfront, driving the access roads and bridges, or riding the metro will see firsthand what Henry Nowak did for his constituents.

Thank you Henry, for your 18 years of tireless work and representation of western New York. I promise to keep fighting for the issues that matter most to our western New York constituents: Investing in our infrastructure, promoting Federal-State-local business partnerships, preserving fair trade policies, and reforming Congress. I applaud you on your recent unanimous selection as western New York's Man of the Year. I couldn't think of a more deserving individual or better friend.

#### A PRO-AMERICAN STATE OF THE UNION MESSAGE

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, tomorrow night the President will tell the American people the truth. He will talk about the truth in the economy. He will talk about the need to sacrifice, and for every American to contribute. He will talk about creating 500,000 jobs to stimulate the economy. He will talk about stimulating the business sector. He will talk about education, children, families, and investing in the future. He will also talk about reducing the deficit.

For the last 12 years we have had State of the Union Addresses where the truth was masked and where we needed to talk about Americans sacrificing. Last night we saw a courageous President talk about the problems we face



ahead and what we must do to build an economy that will better serve our future.

President Clinton has laid out a realistic package which will end the cycle of stagnating incomes and declining jobs for the middle class. His speech tomorrow night will be pro-American, pro-jobs, pro-family, and pro-future.

Mr. Speaker, finally, the middle class has been put at the center of this Nation's economic policy. Last night President Clinton spoke to the American people about his plan to reinvigorate the U.S. economy, calling upon all Americans to work together to "create an economy in which all Americans work hard and prosper."

For the last 12 years we have heard muddled and less than truthful talk about the economy. Last night we saw a courageous President talk straight about the problems we face ahead and what we must do to build an economy that will better serve our future. President Clinton has laid out a realistic package which will end the cycle of stagnant incomes and declining jobs for the middle class. He spoke of the need to jumpstart the economy, to make long-term investments, and to cut the deficit.

Tomorrow night the President will address a joint session of Congress and the American people in order to present the specifics of his plan. A plan that will attempt to reintroduce fairness to our economic policy and reverse the policies of the Reagan-Bush administrations. President Clinton and Democrats in Congress are committed to a plan:

That produces a system of affordable health care for all Americans;

That invests in education and training;

That focuses on the needs of displaced defense workers; and

That produces a fairer tax system and ensures that working parents will not raise their children in poverty.

There is much work to do and only together can we begin to rebuild America.

#### PRESIDENT'S SPEECH A GRAVE DISAPPOINTMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON. Mr. Speaker, I rise today to speak briefly about the speech that the President of the United States made last evening to the American people. As someone who during his 6-year tenure in this Congress and body has attempted to work with coalitions from both parties on a number of issues, I found the speech a grave disappointment. In spite of the fact that President Clinton last week sent me a letter congratulating me for my efforts in assisting him in moving the family

and medical leave legislation through, we have had no contact whatsoever as Republicans, rank and file Republicans, on the package he is about to announce tomorrow evening.

□ 1440

In fact, he took great length to announce that Congress has been consulted, and for the most part all I can see are the Democrats who have been brought in almost totally and yet no interaction with Republicans of this body.

Leading up to the actual speech last evening and continuing through today and tomorrow has been a lot of rhetoric that disappoints me quite clearly. First of all, the rhetoric about the bonuses given to Cabinet members in the weeks or days before they left office. If the President were serious about this, Mr. Speaker, I would suggest that perhaps he look at all the retiring incumbent Members of Congress in the last session and look at the bonuses and increases that were provided to them and apply the standard across the board. But we see a President who is unwilling to take on the leadership of this institution, and that says a lot about what he is proposing.

I think in terms of the speech and the actions that have taken place up until last night and will take place again today and tomorrow, it is more partisan politicking than it is real substance. As a matter of fact, all we heard last night was blaming the last 12 years of George Bush and Ronald Reagan, no acceptance of any responsibility on the part of this body or the leadership of this body. Once again, indicative of this President looking as though he is not willing to take on the leadership in the Congress but is going to go along with the status quo while really trying to tell the American people that he is a real instrument of change in terms of the way Government is in fact being run.

What it looks like he is going to be proposing to us tomorrow night is nothing more than warmed over Bentsen, Panetta, Darman policies that we tried to deal with 2½ years ago. The program that President Clinton has announced he is going to be bringing forth to us tomorrow evening is nothing different from what was proposed 2½ years ago.

We were told back then that for this modest tax increase that we were going to get real, true budget reform. We were going to get spending control. And look where we are today.

Mr. Speaker, the tax increases that are being proposed in this package are outrageous. They are outrageous especially in light of the fact that there are no significant spending cuts contained in this document. There is no process reform.

President Clinton last night spoke about the fact of how he had balanced

the budget of Arkansas for 12 years. What he failed to tell the people is that he had two very important tools in that process. He had an amendment or provision in his law of his constitution of his State to balance the budget, a requirement as most States have. And he has a line-item veto.

Where is his support to the leadership of this body for both of those measures? If he really believed in process reform, why does he not come out and take on both of these initiatives so that we can give him the tools that we feel are necessary to balance this budget like he did in Arkansas?

Where was President Clinton's comments in terms of the unauthorized appropriation? On the defense bill alone, we average between \$5 and \$10 billion a cycle of unauthorized appropriations that are stuck in without full hearings and going through the appropriate legislative process. Where was the President speaking out on the need to reform the system and the process of the way that we spend money here in this institution?

Mr. Speaker, I have some grave concerns about the direction we are going as a country, and I have some grave concerns about the plan that is being put forth by President Clinton last night and again tomorrow evening to this body.

He told us during the campaign that he was only going to tax those who made more than \$200,000. Now it is not just more than \$100,000, it is families who make more than \$100,000. If a husband makes \$50,000 and the wife makes \$50,000, they are, under his new definition, the wealthiest people in America. And he tells us that 70 percent of the American people are going to pay for the bulk of this bill. They are the people who are the corporate citizens and those wealthier taxpayers.

Mr. Speaker, we know that when any tax is placed upon a corporation, that corporation is going to pass that additional cost along to the consumer. The consumer is going to end up paying the bill.

Mr. Speaker, we heard during the campaign that for every dollar of tax and revenue enhancement, we are going to get from a Clinton administration \$2.75 in cuts and reductions. In fact, what we are going to hear tomorrow night is \$1 of cut for \$1 of tax increase. And we know, Mr. Speaker, looking at history, that every time this institution has raised revenues and raised taxes, we have not in fact cut the deficit. We have, in fact, increased spending by two, three, and four times the amount of revenue raised.

Mr. Speaker, the President is off in the wrong direction. He is saying to the American people, it is now time to sacrifice. "I need more of your money." Mr. Speaker, 20 percent of the electorate in November cast their votes

against both parties. It is time that President Clinton listened.

We need to first of all cut spending and control the way we spend taxpayers' money and then look at the revenue side of the equation.

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wyoming [Mr. THOMAS] is recognized for 60 minutes.

Mr. THOMAS of Wyoming. Mr. Speaker, I would like to utilize some time to talk about a subject that I think all of us are interested in and are looking forward to dealing in, and that is health care.

Of course, everyone is concerned about health care. It is a national problem, one that we will be addressing and have addressed as a national reform. I want to talk about two things: One is moving forward on doing what we can with changes in the health care delivery system in this country, and then, more specifically, to talk a little bit about the difficulty we have in trying to relate a national health care program to rural areas such as Wyoming.

In fact, almost every State has a rural area. Wyoming may be unique in that we are almost entirely a rural area. So those are the things that I particularly want to talk about.

Obviously, we share the same goal, I believe, in health care, even though there are many ways to approach finding solutions. The goals that are commonly shared, I believe, are first of all, access to every American to a basic level of health care. And I think we have decided, informally, that that is the public policy that we will support, is a basic health care program and accessibility to everyone in this country.

The second challenge, of course, is that of doing something about health care costs. It is an enormous program, a program that touches each of us, whether it be our parents or our children or ourselves and our families. Everyone in the country is touched, of course, by health care and the costs that are attached to it.

Last year we spent nearly \$840 billion in this country on health care, more than any other country, of course, and more per capita than any other country. And at the same time we did not provide access for everyone. Some 35 million people in this country do not have insurance. That does not mean that they do not get health care of some kind, but it surely means that the health care that is delivered to them is not delivered efficiently. It is often delivered in emergency rooms and expensively and, of course, maybe more important than anything else, no preventive care at all.

So we really ought to be talking about health in general and not health care. We really ought to be paying doc-

tors to keep us healthy rather than paying them to fix us after we are broken.

In any event, it is a program that has been talked about for a very long time. There are many Members in this Congress who are very knowledgeable about it. Yet we have not really come to a consensus as to how to approach it.

□ 1450

The Congress bickers about it. The administration now, and Mrs. Clinton, I understand, is in charge of a study to come forward. I hope that she does, with the help of others, and I hope that the Congress is helpful as well as it does come forward.

I would like to suggest, however, that Washington is different than Wyoming. In Wyoming sometimes persons have to travel 100 miles to see a health provider, so access becomes more than simply the economic opportunity to have someone take a look at your health, but to have a provider available, whether it be a doctor, whether it be a nurse-practitioner, whether it be a physician's assistant. The difficulty in having health care available is one that is especially acute, I think, in rural areas.

Related to that, of course, is the reimbursement that is available, particularly in Medicare and Medicaid. It has over time historically been a lower reimbursement in rural areas. We argue that that is unfair, that there are costs that offset the differential. Certainly the rent is higher in New York City than it is in Basin, WY. On the other hand, the volume is different and there are higher costs there, as well.

We see ourselves having to provide a continuum of services from one area to another in which there are various levels of services, and we need to plan to do that. The current health care program that is being talked about is called managed care. Interestingly enough, the notion of managed care has come from a think tank in the Jackson Hole Group in Jackson Hole, WY. I favor the idea. It is an idea of bringing together volume purchasing based on quality and using the marketplace to provide both quality and to provide a lower price. Unfortunately, it does not always fit, as frankly is often the case with Federal programs.

One of the reasons, personally, is that I believe the more programs we can provide at a lower level, the more likely they are to fit. The "one fits all" idea, if it fits in Pittsburgh, it does not fit very well in Chugwater, WY. Of course, that is true in many, many places.

The model that was talked about on managed care that I think is very useful was one that was done in Cincinnati, as a matter of fact. Large employers polled the insureds. They looked at the 17 hospitals in Cin-

cinnati, found the ones with the best quality, found the ones with the lowest price, and used their purchasing power to direct their business there; a good idea, not a brandnew idea but a good one, but it does not work well in a place where there are no choices. Now there are no two-hospital towns in Wyoming. There was one, but finally the two merged. We have no towns with more than one facility, so the notion of having a selection, the notion of having competition between providers, does not fit there very well. It is a good plan, but it has to be augmented with something different if we are to use it in rural areas.

It seems to me that there are some things that we really know how to do. Mr. Speaker, I hope that we move forward on them. First of all, it seems to me that we have to have insurance reform if we are going to use the private sector, as I think we should, to finance these services. We have to have insurance reform. Insurance is basically regulated at the State level, but I think we are going to have to take a look at it as well on the national level to give some direction to those kinds of things.

First of all, if we are going to have insurance and we are going to have basic access to everyone, we cannot cancel people because they have losses, excessive losses. We have to let everyone be insured, so we cannot have an elimination by having prior bad experiences or prior conditions that eliminate people. We cannot do that if we are going to use insurance as the criteria.

I think we can do that, and we can do it in medical insurance. We can have pooling and we can have assignments, so that the very high risks are shared among the companies and small companies do not go out of business.

I think we have to have community rates so that each of us is not rated based upon the losses that we have had and subsequently and elimination of those people from the insured coverage.

We have to have a basic package, so that every insurance company would be offering the same kind of package. They can offer more, if they choose, but there has to be basic package. We can do that.

One of the things that has to be done, Mr. Speaker, I think is tax reform. Right now a self-insured person who buys health insurance gets a 25-percent tax deduction, where a corporation insuring their employees gets 100 percent. That is not fair. Certainly also it does not lend toward everyone being involved in the insurance program.

The basic package, of course, has to include hospitals, physician care, diagnostic testing, and preventive care. It is difficult to find a way to cause the market to really reflect the need for preventive care, but I think it is terribly important, and we ought to spend



as much doing the kind of things to avoid health problems as we do fixing them after we have found them.

I think we have to have businesses involved in offering units, groups that can be insured. I do not think businesses should have to provide insurance. I believe if we did that we would be working against ourselves in terms of creating jobs, because I am confident there are a number of small businesses that would not be able to do that, but they should be required to provide a group in which employees can take advantage of that.

Then it seems to me the way we deal with those who on an income basis cannot afford their insurance is to provide vouchers and tax incentives for assigning them.

The second important part is we have to do something about the basic costs. The notion that we can just continue to provide money for the same program and really expect something to be different by putting more money into it simply does not work, so we have to deal, I think, with the basic causes of some of the cost-driving elements of health insurance.

One of them is tort reform. People argue about how much of an impact there is from the liability standpoint in health care, and we can argue about the amount, but we cannot argue with the fact that defensive medicine forces up costs substantially. Doctors and other health providers provide procedures that have very little to do with their health. They have to do with avoiding suit, and those kinds of things I think need to be changed.

We need to do something about reducing paperwork, and Secretary Sullivan, who recently left the Department of Health and Human Services, started a task force to do that. There is no reason why we ought to have 50 different forms to file a claim at a hospital.

I went up to Canada with a group last year to look at the Canadian program, and I am not an advocate of imposing a Canadian health program on the United States, but I do recognize that there are some things the Canadians do better than we do. One of them is to reduce administrative costs. We went to a very large hospital, a 700-bed hospital, as I recall, and they had two people in the billing department. That is much different than the billing department in this country, that is much smaller, so we can do that.

I think we have to do something to reduce duplicative services. I am very much impressed with Dr. Koop, the former Surgeon General, who suggested that we ought to put a percentage of the premiums from insurance, health insurance, into research of outcomes so that we would have a really scientific notion of what kinds of procedures work best for certain sorts of illnesses, and we should do that.

Finally, of course, we have to deal with long-term care. Long-term care is

one of the most important and expensive elements of health care. Basically in Medicaid it is the most expensive item. We need to make some changes there. We need to be able to keep people in their homes with home care, much less expensive and also much more favorable for the patient than moving him to a \$25,000 a year health care nursing home, unless that is a requirement. We need to do that.

We need to change the tax laws so young people begin to prepare for long-term care as they do life insurance in the early years. The costs would be relatively lower. We need to be able to convert IRA's into long-term care, or life insurance policies that could be used for that purpose.

There are a great many things that do need to be done. Interestingly enough, it seems to me, Mr. Speaker, that we do know the answers. We do know what we can do about health care to provide access for all Americans. We do know some of the things that need to be done to reduce the costs. We simply need to get at it. We have had some basic disagreements in this Congress, and I think throughout the country there is not a common notion of how this needs to be done. I do believe that there is less support today for the idea of a Federal program delivered by using the Federal Government as a service delivery system than there was a couple of years ago. I think increasingly we are aware that Medicare and Medicaid are not without problems.

We talk about a single payer system in Canada. The fact is that we have three times as many people in this country on single payer as there are in the whole of Canada, and that is not satisfactory. It is probably unlikely that we could take another culture, take another country's program and impose it here and expect it to work.

□ 1500

But we can find a way and we must find a way, and we need to take into account as we do that that there are areas that are quite different in their composition than the urban areas.

In this Congress, of course, most Members come from places that are fairly highly populated. So those of us who come from lower population areas need to work very hard to make sure that those interests are represented. So I am very pleased to be a part of the rural health caucus which represents I believe about 170 Members of this House who share these unique aspects of a low population area in health care.

So Mr. Speaker, I really hope that we can move forward. I look forward to the administration's proposal. I think we ought not to twiddle our thumbs until that happens. I think we ought to move forward in doing what we think ought to be done. There are very many Members in this Congress who are very knowledgeable about health care, and

we need to move forward on it. Our goals I think are fairly well defined, and I think the public policy is that we need access for all Americans. I think we have to do something about the basic costs and deal with the root cause of the costs, and we do know some ways to do that.

Mr. Speaker, I appreciate the opportunity to take a little bit of time to talk about how plans like managed care could be converted and to work in rural areas. I hope that States will move forward in trying to devise a delivery plan. Clearly, we are going to have a spoke and wheel kind of delivery system in hospitals where we have the highest level of services as some kind of a regional hospital with affiliated hospitals providing less service where we simply have stabilizing of emergencies and basic family care and then move people, transport them to where we can afford to have a cardiac center, or afford to have an imaging machine, the very expensive items which all of us want and all of us demand in our health care.

So Mr. Speaker, I think we should move forward on this. I think we know how to do it. It just takes a will to move forward, and I suggest that we do so as soon as possible.

Mr. Speaker, I rise today to call upon my colleagues to enact comprehensive health care reform. I have been a Member of this body for 4 years now and we're still discussing the problem of rising medical costs but doing nothing to curb them. How many reports is Congress planning to issue on the disproportionate share of health insurance before making it equal for all Americans? While Congress, the administration, and special interest groups bicker over what direction to move, the people of my rural State of Wyoming are losing physicians, hospitals, and the lifelong benefits of comprehensive care.

Rural Wyoming is not like downtown Washington, Denver, Seattle or Dallas. There are great distances between towns, sometimes 100 miles to the doctor. There are different expenses for operating a clinic and practice. Emergency service has a vast radius. Rural people depend on their health care in a completely different way than urban areas. And any comprehensive care reform plan has to recognize these crucial differences because every State has a rural area. I just happen to represent a State that is entirely rural.

The Federal Government does not have expertise in delivering health care successfully in Chugwater, WY, or south central Los Angeles or New York for that matter. The Federal Government's responsibility is to pass a health care plan that sets a framework in which States and local communities can work. My State of Wyoming will not benefit from an elaborate managed care system where providers compete for consumers. Few towns in Wyoming have more than three doctors. No Wyoming town has the required 180,000 people to support managed care. Congress needs to wean itself from the congressional reports, the polls and behind-closed-door meetings and pass a few basic measures that get to the core of our health care delivery problems.

Every day my office receives mail from families whose health insurance premiums rose over \$400 from last year. At town meetings, I hear stories of people who are denied coverage either because of price or being the victim of a previous health condition. No one can deny that these are the primary problems with our Nation's health care delivery system.

Every Member of Congress agrees that the insurance industry needs to be fundamentally reformed. My health care plan takes on that task by prohibiting insurance companies from underwriting, using preexisting clauses and limiting premium rates. I also propose adding pooling arrangements for small businesses and increasing the health insurance tax deduction for self-employed business owners. These last two measures, however, could be added at a later date so as not to bog down the primary reason for changing the delivery of health insurance—people.

My plan requires all individuals and families to sign up for a basic benefit package. Businesses do not necessarily have to pay for this plan, but they would be required to offer access to it. Vouchers would be provided for those meeting low-income eligibility standards and tax incentives would be offered to encourage businesses and individuals to sign up.

The basic package must include hospital care, physician care, diagnostic testing and preventive care. It must be limited in scope but not limited in choice. Rural areas have a tough time offering a full range of providers and that's why any basic plan must allow individuals the right to choose among qualified, licensed health care providers for those covered services.

The notion of cost containment for all parties involved is a complex one, but absolutely necessary for real reform. The benefit of my plan is that it contains costs by changing the obstacles that have spent \$800 billion on health care. Reforming our system requires more than capping expenditures like Canada because when a balloon is squeezed at one end, it explodes at the other.

Instead, we need to enact tort reform, flexible antitrust laws, and crack down on health care fraud. While I would prefer States to reform their own malpractice liability laws, it is such an important tool for systemic cost containment, it may be necessary to enact it federally and preempt State law to control costs nationwide.

Other important cost containment measures include reducing the hassle factor and allowing providers to fill out 1 uniform claim rather than 10. We need to cut back on duplicated procedures and allow facilities to consolidate by sharing services when applicable.

Long-term care is also an important pillar of my plan that must be put on the reform table because it's just around the corner for many of us. It also makes my plan different by expanding community services, such as home health care, and allowing the conversion of equity funds, such as IRA's, so that more seniors will be able to purchase long-term care coverage.

All these measures, however, depend upon a coordinated Federal/State partnership. The States need more flexibility in managing Medicaid so they can develop a delivery plan which caters to their unique needs. In Wyoming, we've been forced to create spoke-and-

wheel arrangements that offer different levels of service. This helps us utilize our scarce resources better and coordinate recruitment efforts to attract and retain providers.

A statewide delivery plan, however, will only be effective if the Federal Government does its share by reimbursing Medicare and Medicaid on the same basis as private carriers to end cost shifting. Reimbursement rates between rural and urban providers must be equal so there's an incentive to practice in low-populated areas like Wyoming. And finally, the Federal Government must continue to provide education incentives for new physicians choosing primary care fields or practices in rural areas.

While these steps aren't exhaustive of all the necessary reforms, they can easily reach a consensus and pass overwhelmingly. It's these kinds of initiatives that improve access and build a basic system of care available to all because as representatives, we must always keep in mind that expanding care, affordable and sensible, must focus on the consumer—that's the bottom line.

#### CONGRESSIONAL OBLIGATION TO THE HORN OF AFRICA

The SPEAKER pro tempore (Mr. THORNTON). Under a previous order of the House, the gentleman from Virginia [Mr. WOLF] is recognized for 30 minutes.

Mr. WOLF. Mr. Speaker, I recently returned from an official visit to the Horn of Africa. Using Nairobi, Kenya, as a staging point, I visited southern Sudan for a 2-day period, followed by a 1-day stop in Baidoa in Somalia.

The Sudan, and southern Sudan, is far, far away, not only in terms of the 20-hour flight to get there, but it is a distant place in a distant time. The refugees in southern Sudan are a forgotten people in a remote corner of the world whose story is an untold tragedy of oppression, of cruelty and of hopelessness.

The ravages that the people in southern Sudan continue to endure seem much worse because they result not only from drought, and plague, and famine, and natural holocaust, but also spring from man's inhumanity to man.

On Monday, February 8, I flew in a small twin-engine plane carrying relief medical supplies to southern Sudan from the Norwegian People's Aid, the NPA organization, arriving at the base camp which is home to the NPA. That is the only nongovernmental organization or NGO today retaining a permanent, round-the-clock presence in Sudan where four relief workers were recently killed in a skirmish in southern Sudan from rampaging factions of the Southern Sudanese People's Liberation Army. And also another outstanding group is the Catholic Relief Services which has a vital role in conveying lifegiving food and supplies from far outside the country to three refugee feeding camps in the southern region, Aswa, Ame, and Atepe. These

loosely defined camps are located in proximity to the main road bisecting Sudan on which hundreds of thousands of refugees made their way southward driven by the relentless and unforgiving army of the Government of Sudan in Khartoum. People are without food, are without medicine, without clothing, and it seems without hope. These people would surely perish without the bare subsistence provided by the Norwegian People's Aid and the Catholic Relief Services.

I visited in two of the three camps and saw the relief efforts which seem at best to fend off starvation and sickness for the moment, rather than to nurture and provide lasting sustenance to the refugees. Twice each day children, and when I say children, there are hundreds of thousands of children in lines and circles with feeding bowls, but the children, the infants form an endless line to receive a meager ration of food to prolong their existence until they again line up to do this again later on in the day.

In the camps I heard from the refugees and from the people. One individual, a woman named Rebekka, who was from the Dinka Tribe, was very angry and upset. She told me a number of things, that she had lost three of her children, that she had lost her husband, and what she said was told to me by a number of others of the Dinka Tribe. First, she said the world is silent to the suffering in southern Sudan because, she thought, the people of southern Sudan were black. The reluctance to act, in her view, and in the view of others, she said, was a matter of race, and these conditions would not be tolerated, she said, in any other part of the globe.

The second point is she felt, and many of the others I spoke to felt that they were being persecuted, starved, and bombed and killed because they were Christians.

The last point that she made, and there was near universal agreement by the southern Sudanese refugees, is that the humanitarian groups, such as World Vision and others who do such a wonderful job, and are doing such a wonderful job in Somalia where we were later on that week, and in Baidoa, and Mogadishu, should come back into the southern Sudan to help with food and giving assistance. As many people know, these groups left the region after the relief workers were killed, and are understandably reluctant to return until some measure of security for the caregivers can be assured.

These three points were echoed by others with whom I met. A pharmacist who provided the only medical health care in the Ame camp made a similar plea and asked for the return of the private humanitarian relief groups. Until significantly more relief is available, there is little medical care, no health care, insufficient food to sustain



life. People are starving to death every day.

Some of the scenes that I saw, if we saw them in the United States, of children lying on the side of the road dying, we would call the police, or the rescue squad, or we would call somebody and take them to the hospital. In southern Sudan they are all over the place, and it is desensitizing because you cannot do anything to help them, because the same scene is everywhere, because people are starving to death every day.

□ 1510

There is no opportunity to educate the children. You are losing a whole generation of children that will never be educated and have very little chance for opportunities in the future. Quite frankly, the people in southern Sudan have literally lost a generation and will probably lose much more.

I also met with representatives of the SPLA and Sudan Relief Rehabilitation Association, with a number of Catholic priests, with local officials, a number of old hands in Sudan. I visited hospitals including one exclusively for those with tuberculosis and saw firsthand the recent damage in the town of Kajo Keji on the western bank of the Nile where the Khartoum government bombed the crowded town market killing and injuring many, many people.

The Sudanese Government did high-altitude bombing of this village where there were no military people in the village, and the Pope was not every far away in Uganda, in northern Uganda, and they still bombed. We saw the bomb craters, where they hit the huts.

They destroyed town marketplaces and a number of huts. They killed about 12 women and children.

Then we went into this building that they call a hospital, but, frankly, it was not a hospital. Nobody who can hear my voice would even go in there and would ever call it a hospital, but in this so-called hospital, there were a number of the wounded. There was one woman there with shrapnel in her head from the bombing. It does not get much worse to have to live in southern Sudan than to be in southern Sudan and in a little building they call a hospital which is so filthy and dirty with rats and disease and to be lying in a dirty, filthy bed with shrapnel in your head and no hope for the future.

Just when it seemed conditions were as bad as they possibly could be, they just seemed to get worse for the people.

Mr. Speaker, I believe this is a story that really must be told. This is the third time that I have been to Sudan. I was in southern Sudan in 1988, and then in 1989, and now looking at it today, it is much, much worse.

I think this is a situation that must not be permitted to last, and I think, frankly, that it need not last. There is much that can be done.

I was particularly impressed with the Pope's statement when he visited Khartoum, and the Pope's statement when he was in northern Uganda on the southern Sudanese border.

I just want to summarize with some recommendations. Our Government, the Clinton administration, the Secretary of State, the new Assistant Secretary for African Affairs must work for relief from the Khartoum government. Pressure should be put on the Khartoum government to stop the bombing and stop the killing.

In southern Sudan, what we probably need is, for lack of a better word, and I do not know exactly, almost what the Kurds have been successful in getting in Iraq of some sort of no-fly zone whereby both sides, the Government of Sudan and the SPLA agree that there will be no military presence in that area so the people can get food and medicine and relief, and the humanitarian groups can go in and know that they can go in without worrying about bombs dropping on their huts at night.

Then, stepped-up relief efforts including encouraging medical teams to help out for short but frequent periods is essential.

There was a Norwegian group in there, a doctor and three nurses, a doctor and his wife who was a nurse, and two other nurses, and they were there for 3 months. They all had amoebas in their stomachs, and they all had diarrhea and were very, very sick but had tried to do what they could, 3 months in southern Sudan, and it is probably too much to ask somebody to go for a long period, but I think we must have some medical teams go in on a rotating basis.

Also, we need the humanitarian relief efforts including bringing food and medicine, the principal life-giving needs to the people of southern Sudan.

Now, I am going to do what I can to bring this to the attention certainly of the United States and the Western World.

Let me just say to the media, I know it is a hard place to go to, but I think that this is a story that has to be told when literally hundreds of thousands and millions of people are dying. This fighting has been going on since 1984. People are dying, and then I think that the Western world has to focus on this, the United Nations has to address it. If we address it now with a no-fly zone and a buffer zone for relief and supplies, then we will not have to be what we are doing in Somalia. I salute President Bush, former President Bush, for his actions in Somalia. I think he did the right thing. But that is going to cost hundreds of millions of dollars.

We can keep that from taking place in Sudan if the West will focus on this now, and that is why I salute the Pope for going there, and I urge the West and the media to focus on this.

Second, the Members of Congress have to focus on this.

Mr. ABERCROMBIE. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I am happy to yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I wanted to commend the gentleman on his statement so far and indicate to him that I had the privilege, I will say, of traveling in the Sudan in 1968. I had the opportunity to leave from Khartoum to travel down the Nile into Uganda and discovered virtually the same situation, the same circumstances minus the occasion of the actual bombing that has been taking place.

The situation that the gentleman describes has been ongoing over all of these decades.

I would say that the assessment that there is a division in that country, in that nation, with respect to those who are black, with respect to those who are Christian or animist, with respect to those who are in the great Sudd area of southern Sudan, the great swamp area, as opposed to the Islamic desert north of the country is such that perhaps a division is irreparable. I do not know. I would not comment on that at this particular time.

I think the gentleman has focused on the humanitarian side of this and the political implications of this for both the United States and for the United Nations.

I want to indicate to the gentleman that I did not know he was going to make these remarks today, and when I heard them, I took advantage, if you will, of the opportunity that it gave me to confirm for our friends that the remarks that the gentleman is making, while current today, represent the sad combination of a history, a legacy of terror, if you will, and horror that has been building over the past more than three decades now.

I certainly would agree with the gentleman that we need to alert ourselves in this Congress to this issue, because I believe that the conditions that he describes are not about to go away. If anything, they are about to be extended; in other words, the Somali situation and the Sudanese situation are something that the United Nations will have to address, that we will have to address as a leading member of the United Nations, and that unless and until we take up the call of the gentleman, as he has described so eloquently these past few minutes, take up this challenge, we will find ourselves in a situation where the response that we will have to make inevitably anyway will be so much the worse in terms of arriving at any reasonable conclusion, so much the worse for trying to achieve a political solution or at least resolution.

So I thank the gentleman for bringing this to our attention and wish to associate myself with his remarks and pledge to him that I will work with

him and anyone else who is interested in this area and in these matters to try to do what we can in the name of humanity and in the name of the political, economic, and social sense, not only for Africa but for the commitment that we make as a member of the United Nations.

Mr. WOLF. Mr. Speaker, I want to thank the gentleman for coming over from his office to make that statement. I appreciate it very, very much.

I think as Members focus on this, and the gentleman having been there before, it will become so obvious, and I just want to let him know that I appreciate the fact that he took the time to come over quickly to reiterate or second that. I thank him.

Mr. ABERCROMBIE. Mr. Speaker, will the gentleman yield further?

Mr. WOLF. I am happy to yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, one of the things that took place, so that I do not leave the gentleman or anyone else in the dark as to this trip, we are probably among the few Westerners then who have ever been in this part of the Sudan. I think the gentleman would agree, aside from those who have committed their lives for humanitarian purposes.

I wanted to travel the length of the Nile back in that time as a kind of an adventure. I had no idea at the time of the conditions and circumstances that I would find when I went on the Nile. I traveled on a paddle-wheel steamer down the Nile, down to Juba, down into the southern Sudan to visit some of the towns along the way.

□ 1520

We were confronted with military forces down there, and I found that there was a tremendous desire on the part of the people in that area to get connected with the United States. I am sure the gentleman would confirm we found this in so many places all around the world, that in the most remote sections of the world and certainly southern Sudan, I think, would qualify in that regard, remote in the sense of sophistication, access to technology, knowledge of the world generally, and the conditions there, that kind of thing—that yet there was, especially from the young people, a desire, a feeling of friendship for the people in the United States, a reaching out by them.

Mr. Speaker, I remember a young man saying to me, "Could you help me get to school in the United States?" My feeling—and I was a student at the time, traveling on my own, backpacking around the world—my feeling of frustration—and I must say not pity, as I am sure the gentleman would confirm, I am not speaking of these matters nor is the gentleman, I am sure, speaking out of pity; quite the opposite—out of a genuine human concern, out of a reaching back to someone who

thought of the United States as a bastion of freedom, who thought of the United States of America as a land of opportunity, who thought of us as people who would care about him. Now, the fact that he could ask someone like me in my circumstances, just a student traveling around the world, that he thought I might be able to help him in that regard, being able to get to the United States, that was his goal. They have a vision, even under the most dire circumstances, in places like Sudan, abandoned by the rest of the world, that the United States is their true partner, that the United States will help them if we can.

Yes, we have tremendous problems facing us here at home, but we are the leader in the world, whether by default, whether by design, whether by destiny, however one concludes it, nonetheless we have this responsibility.

So I reiterate to the gentleman that his words today need to be heeded and that those of us in the United States have a special responsibility to ourselves to continue to be that beacon that others look to from the depths of their own despair as the Nation that can provide an example of what can be done in terms of freedom, in terms of opportunity, in terms of basic and fundamental justice.

Mr. WOLF. I thank the gentleman. The gentleman will be interested to know that in the villages they knew about Governor Clinton being elected President, even the young kids, which I was surprised at.

I might tell the gentleman that Juba has been surrounded for 5 years. I talked to a Catholic priest who was in Juba last year and the atrocities that are taking place in Juba are unbelievable. The people in Juba have basically been in prison for the last 5 years.

But I thank the gentleman and look forward to working with him.

Mr. Speaker, I think the House, the Senate, the Committee on Foreign Relations, the Committee on Foreign Affairs' subcommittees, must hold hearings. I was pleased today that the subcommittee chairman said they would hold hearings on this issue.

Unfortunately, there are no prominent movie stars, and other prominent people like that who take up world causes who are interested in this, to call attention to this problem.

So the Congress must. I am pleased and hopeful that we will hold hearings on this issue very, very soon, and urge all Members of Congress to focus on this issue.

Also, the Clinton administration has to deal with this issue. If you deal with it now, it does not cost you anything; put pressure on the Khartoum government, appoint someone who can go as a mediator, perhaps as the gentleman from Hawaii said, to politically separate this problem.

Now, that is for other people to decide. But the Clinton administration must deal with this.

The new Assistant Secretary for African Affairs must deal with this. Human rights groups, Africa Watch and others, must deal and look at this; all the humanitarian groups that provide food and relief must look at this.

In my visit I even heard stories of slavery, they would come into villages and take people for slavery. This is hard to believe, yet it came up over and over and over.

The word that was used over and over was "ethnic cleansing," similar to Bosnia-Herzegovina. The other word that came up was the word "genocide," over and over and over.

So I just think that the West must focus on this country, not the way we focused on Somalia. We are not asking to send American troops in. God bless the American men and women, the Marines and military people today in Somalia; you would be so proud of what they are doing, how they have saved so many lives.

But if we come in, in a political settlement and put pressure on the Khartoum government now, we can prevent other Somalias from taking place in the future. We can urge humanitarian groups to come in and allow these people to develop and have some semblance of their history and culture and not be destroyed in the way that they are.

So, Mr. Speaker, this is an important issue. I feel such an obligation because everywhere I went they said:

Would you tell the people, would you tell the people back in the Congress, would you tell the President, would you tell the Secretary of State, would you tell the American people?

Mr. Speaker, that is what I am doing, and that is what I want to keep doing until we help make a difference for these people whom I consider to be persecuted and suffering more perhaps than anyone has in modern times, in the last 20 to 30 years.

#### SUMMING UP MY PREVIOUS SPECIAL ORDERS

The SPEAKER pro tempore (Mr. THORNTON). Under a previous order of the house, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. I thank the Speaker.

Mr. Speaker, what I have to say briefly by way of summing up the last three or four previous special orders in this session thus far, which mostly carried over the continuation of the House's Committee on Banking, Finance and Urban Affairs, the so-called BNL Bank, or the Atlanta branch of the Italian bank that we commonly and popularly know as the BNL or the Banca Nazionale del Lavoro; and say, in a way that repeats what I said in the last special order 2 weeks ago, that even though it got embroiled and it did



at the very outset of last year, which was a political year, a Presidential election year, the basic facts surrounding the investigation on the part of the Committee on Banking, Finance and Urban Affairs were kind of overshadowed.

The basic thrust, the underlying reason that we were concentrating on that one, as well as some related occurrences such as the BCCI and one or two lesser publicized but similar in pattern of their activity, incidents and experiences, all of which, as I said in the last speech, go back personally to my interest since 1975, when I caused the bringing of 2 days of hearings in my hometown of San Antonio, TX.

I was not the chairman then, but I was the chairman of the Subcommittee on International Finance, which chair I held for 10 years. And having come across some information back home, very disturbing information concerning the very heavy volume of money transactions across the border daily, with no record whatsoever, and given that antecedent activities of mine were the ones that led to the ultimate exposure of a ring—and became notorious in Texas as a drug-importing ring and one that became notorious in my area because of its operation, similar to the organized crime in the United States.

□ 1530

I was the one who revealed the extensive stolen automobile vehicles and other vehicles in exchange for drugs. I brought out over a 3½-year period of time beginning in 1970, I took to the floor and mentioned in two special orders at the outset my concern.

I appeared before the local county grand jury four times.

Then finally with some startling events going back to the arrest of the ring leader in San Antonio who had been coming back and forth from San Antonio at will from Mexico into San Antonio and back and forth and involving some San Antonians who I first became acquainted with when I was a chief juvenile probation officer for the Bexar County Juvenile Court soon after the war and who were simply astounded that they were not even middle school graduates, yet telling me they had traveled to Paris and were wearing very expensive clothing and had fancy cars.

One thing led to another, to make a long story short, and I soon discovered the police were calling me to find out what if anything I could connect with some hits or murders that had been taking place in one particular part of the southern edge of the city and the county.

The question I asked of the police was the nature of the occupation, if any, of the individuals who were found gangster-style knocked off. They said:

Well, you know, it's kind of interesting you would ask that, because they are all in-

involved in the automobile business, either automobile salesmen or agents or something.

So then I got some more tips that there was a steady stream of stolen automobiles, some of them coming down what I call the eastern seaboard from this area, the Washington area, down to Florida and then across the southern tier of the country over to Texas, through Houston and then to the southern border crossing in Brownsville-Matamoros. The other was more central. It was the New York-Chicago-Dallas-San Antonio-Mexico-Laredo-New Laredo, and then there was a third that I found out about the second year I went into that, and that was the Las Vegas down to El Paso across Ciudad Juarez and into Mexico.

Then the last was the western seaboard. That was California down through Calexico and across into Baja, CA.

In exchange, I received very sophisticated information how a certain make of car—for instance a pickup, a Ford pickup—would bring more than the same year model of a sedan in exchange for a given amount of kilos of either marijuana, or at that time it was not so much cocaine as the other principal hard drug.

Then to my alarm, I soon came to the conclusion that these hits were being made because these fellows had gotten mixed up in that trade and somehow or another were caught cheating and they were knocked off.

The police were baffled because they had no clues.

Then I found that one whole nest of this gang was headquartered in a rural area 10 miles south of Nuevo Laredo across the Texas border.

On one occasion they got so brazen when the Federal Government of Mexico sent what they called the judicial officials and, by golly, they hit two of them gangster fashion in the very city of Nuevo Laredo.

So I then tried to put things together, came to the conclusion, and verified one particular death that what was happening and the reason San Antonio police or any other local police would find it difficult to solve the crime was that these individuals were crossing the border, which they could do at will. All they had to do was cross the bridge, pay the fee, and then instead of going right over to Laredo, they kept on coming; 3 hours or 3½ hours later they were in San Antonio. They would make the hit and 4 hours later they were across the border in Mexico.

So then things happened and there was a lot of disbelief until I then made an inquiry of the National Automobile Theft Bureau and asked for statistics, which they provided and they verified.

By 1972, that traffic was over a billion dollars' worth of stolen automobiles in exchange for hard drugs and marijuana.

So I then took to the floor and I made several special orders. The years went by. The grand jury had a hearing or two. They did not indict anybody, but then came the arrest of the leader at a motel in San Antonio by a courageous police officer of the San Antonio police force. He attempted to resist, but he was overwhelmed. He was then placed in the county jail and while in the county jail, his lawyers were able to get a cell that had a telephone and other services and comforts denied any other regular denizen of the county jail.

I was soon informed by a former friend of mine that went back to my juvenile officer days that the fellow as using the phone even to do some drug business out of the county jail.

So he was tried and sentenced and sent to the penitentiary. He had not been there long when he grabbed four hostages, two men and two women, and he held himself up in the Huntsville State Penitentiary and held everybody at bay a couple days.

Finally, he demanded that his attorney who had represented him in San Antonio come and negotiate with him.

The first thing he demanded was, "I want to see what they are going to do about that guy, HENRY GONZALEZ."

Nobody could figure out why this guy was mentioning my name.

To make a long story short, it all ended up in a ghastly tragedy. He ended up in killing the hostages, or at least half of them, and he himself was killed. Everybody then thought that ended it. Well, of course not.

Soon after that and right soon after President Carter's administration had started, we had another momentous case that to this day is still mysterious. This involved the case of Sante Barrio. This is very interesting, one of the most interesting individuals anybody could read about in a novel. He had been an Italian policeman, but he was young, very versatile, managed to dominate two or three languages, went to France, ended up in New York. Then subsequent to that he was hired by the New York Crime Commission, the celebrated crime commission that began to target the French drug connection. He was given credit for having exposed the French connection.

He then came to Washington and went to work for what used to be called the Bureau of Narcotics, or the fore-runner and in fact he was here when I think the DEA was begun as such.

He was then transferred to Mexico City as the DEA's agent in charge.

One day there was a big story in the San Antonio papers saying that this man had been arrested in a local hotel and charged with bribery because while he was in that hotel room he had been caught exchanging money and drugs or something with an equally fascinating, engrossing, and mysterious individual by the name of Picot, who was a French agent.

□ 1540

Now, whether he was a double agent, or a triple agent, or whatever you have, nobody has ever really bothered to find out. His true nature was never determined.

What happened was that, when Sante Barrio was sent to Mexico City, this agent, Picot, followed him there. Sante Barrio had been able to help break the French connection by being able to pass himself off at will. He was so able, he could pass himself as an Italian, Frenchman, a Spaniard, what have you, and one of those that he latched on to in breaking the French connection at that time was this fellow Picot.

So, when I read that and then found that the man that had been in that hotel room with him apparently giving him the money was this fellow Picot, I began to ask questions of the local police who said, Well, of course this is Federal, and I said, "Well, all I want to know is how did it come about that Sante Barrio would come to San Antonio, TX, to this very prominent hotel?"; they could not answer that.

But then, for his protection, they said, and under the protest of his lawyer at the time in San Antonio, he was removed up to a county about 90 miles north of San Antonio, and then, because of the insistent protest of the attorney who said, "I cannot consult with my client, it's difficult, it's unfair, it's unjust," they brought him back to the Bexar County jail.

Now mind you this was the same jail where this ringleader, known as Carrasco, that I mentioned, was the one who had held the hostages and got killed, had been able to get a phone installed in his cell and everything else. They bring back Sante Barrio from that county north of Bexar.

The first day he is there, in the afternoon or evening, early evening, he is given a peanut butter and jelly sandwich, and he goes into a convulsion and a coma, and he lies in a coma until the following day, almost 6 months, at which time he expires, but he never regained consciousness, and the case was dismissed; that is, closed, but never, never really resolved.

I was determined to see a little bit more information gathered. It seemed to me that, if a man who was relatively young, and had been in perfect health and was brought down to the county jail, given a peanut butter and jelly sandwich, and then collapsed into a coma, that it had to be more than just some coincidental happenstance. Well, that was enshrouded, and still is, in a lot of mystery except that the DEA took a very, very strong position and then said, Well, he was taking bribes.

Now, he was never tried, he was never indicted, he was never heard to explain his side, only whatever in privacy he told his lawyer. Obviously his lawyer was going to defend him from the charges.

But, lo and behold, the DEA says, Well, you know what? We're going to deny his widow his benefits, his pension, and other benefits, and in the meanwhile I came to the floor. I reported all of this to my colleagues. I stated that there was a connection.

But almost coincidentally we have the attempted murder of the Federal district attorney for the western district which is more or less headquartered in San Antonio and extends all the way to El Paso 600 miles away, and a big mystery. The attempt was made there in San Antonio in the suburbs right outside of my district up in an exclusive suburb, and the police could not ascertain anything, even though the way it was done was the assistant Federal attorney was getting up early in the morning, about 8 a.m. He was going to get in his car, going to the local office, when a van-like automobile pulled up in front of him. The rear door opened, and they fired these submachine guns, just riddled his car with bullets.

Now he ducked. He said he ducked under the dash. But to me it was intimidation, pure and simple. I felt that it was more than an attempt to murder him because, if what were obviously professional hit men had wanted to kill him, they could have done it. So, I felt it was an attempt to intimidate the law enforcement side of things, and I had predicted that, if those murders that had been reported to the police, and had defied resolution, and were tied in with this very sophisticated ring of importation and exportation of stolen vehicles, that the day would come when these interests, well entrenched, highly organized, obviously infiltrating levels of society that made us weak to the defense against crime, such as business, law enforcement, government officials, and the ability to defy any coordinated attempt and with great ease defy local attempts to control it.

So, as a result of all that I did bring about one thing after reporting to the White House, and asking for some help and alerting the executive branch. The Federal agencies then decided that they would coordinate certain activities with the local police and the State enforcement police of Texas.

But what bothered me the most was that I was getting reports that there were aircraft coming in daily at will across the border with nobody checking and that some of that money that they were bringing in in undetermined amounts was beginning to filter into our banking and S&L system.

Well, the first indications were just kind of glimmers. I was more concerned about this sophisticated car business. So, together with the Federal agents, the local police and the State, they conducted a 26-hour sting in my area, in my district, and in 26 hours they were able to ascertain and stop in-

dividuals that were driving 26 motorcycles that were stolen and headed for Mexico, about 60 or so, if I remember correctly, pickups, about 70 or so regular passenger automobiles.

□ 1550

Then it was brought to our attention that even when they apprehended the individual and they said this is a car that has been reported stolen, that some of the vital parts, other than the engine itself, were not marked, so they could not really be traced to the rightful owner.

As a result of that, I introduced legislation that finally was enacted some 4 or 5 years later whereby you do have now registration of some of the vital portions of an automobile. That was one byproduct by way of legislation.

But on the other, what worried me was that if these forces then become so brazen, and I was really horrified at my own self after having told the local police officials and the newspaper editors that I feared they would be so brazen that they would defy and probably endanger the lives or limbs of some of the local law enforcement agents. But I never dreamed they would do that to an assistant Federal attorney, as they did in the case of this individual known as Mr. Kerr, James Kerr.

The police called me and so did an editor of the paper and said:

Look, we have been putting things together. You have been speaking. Is this what you had in mind?

I said:

I never dreamed they would be on this level. But it is obviously connected with Mr. Kerr's prosecution in the Western District of El Paso where they had some celebrated cases involving a group that had connections with Las Vegas.

The judge, John Wood, was very, very severe on these drug mules and peddlers and what not. Mr. Kerr was one of his chief prosecutors.

So I then took to the floor, I had no less than two speeches to this body, which I labeled "King Crime." I said one thing we found out about these chop shops in Chicago, for instance, was the underworld was so sophisticated they had a computer system to synchronize what kind of car or parts they wanted. I said that compared to that, our law enforcement agents are not that well organized.

Because what bothered me is that Customs that may be checking on something on the ground, or maybe even in the air, were not checking with the Immigration Service, and they in turn were not correlating with the law enforcement agencies, whether it is Federal, much less the State or local, and we have to get some coordination.

So that is the reason for that sting operation. I think everybody was astonished when in that brief period of time they found this volume just on this screen, New York, Chicago, Austin, Dallas, San Antonio, and Laredo.



Well, about 5 months after I had begun to speak on King Crime and I brought out how the Nation was imperiled and that until it even halfway resolved that, that we would not be able to really control the destiny of our society, and that in the meanwhile organized crime was so sophisticated and so well entrenched in every level of our society and had penetrated our society at every level, that I did not see at what cost or by what means we could extricate ourselves.

I then received a phone call just about 5 months after I had begun to speak at the opening of that Congress, which was 1979, and it was from Mr. Kerr.

Mr. Kerr said:

Say, I am here in D.C. because the FBI is going to honor me and award me a certificate for my performance in enforcement and the fact that my life was at risk, and I just cannot leave Washington without setting up a meeting to meet you, or, if possible, could you come to the ceremonies?

I said:

No, I can't, because we are going to be in session and we are going to be having votes.

So he said, "Well, I will go by." So he did. I brought him in on the Thursday before Memorial Day of 1979.

He said,

Let me ask you to do something on behalf of a request by Judge John Wood. He and every one of us has been keeping up, even though you haven't been reported in the San Antonio papers.

I did not go out making releases or anything. I made my presentation to my colleagues and advised them of the bills I thought would be necessary for us to entertain, and I introduced some of them, and that was it. But they knew down there.

He said, "Judge Wood would like for you to autograph a photo and send it to him so he could put it in his chambers."

I said, "Well, I will be delighted to."

He said, "You know, we have and U.S. Marshals' surveillance of the Federal judges, but Judge Wood has been chafing, and he finally got rid of them last week."

Well, I could not hold myself. I said, "Mr. Kerr, you mean Judge Wood has dispensed with his protection from the U.S. Marshals?" He said, "Oh, yes. He just couldn't."

I said, "Look, when are you going back?"

He said, "This Saturday."

I said, "Please make a beeline to Judge Wood or call him from here and tell him by all means to get those marshals back on the job. Do not dispense with their services."

Well, I thought maybe I was overreacting, because Mr. Kerr did not seem to be overly wrought. But he was impressed. He said, "Well, I will do that."

I went down that weekend to my district, as I do every time the House is

not in session. On Monday we had Memorial Day. I was going to come back the next day at noon. When on that Tuesday at about 8:30 in the morning I get a phone call from the editor of one of the papers. He says, "Henry, I am glad I caught you. Do you know that Judge Wood has just been shot?"

I said, "What?"

He said, "Yes; he was getting into his car leaving his dwelling at this apartment complex," again in this suburb where the assistant district attorney lived, "and he was fired upon."

I said, "Well, was he hurt?"

He said, "Oh, he was killed, and we wanted you to know. We are on our way. But the report just came through. We have been quite amazed that you would have been so concerned."

I said, "Well, I just can't tell you how I feel. I feel terrible."

So then I came and took the floor and kept on talking. In the meanwhile, there were no leads. I then tried to get a resolution. First I tried to get the President to set aside up to \$1 million for the FBI to have as reward money for any information. My theory was, and I think I turned out to be somewhat correct, that whoever made that hit was not only professional, but had spent a long time in figuring out that complex and must have had access to blueprints and everything else and knew exactly where to be and where to shoot.

□ 1600

He did not fire a half a dozen shots at all. One did it. Police could not find a rifle. They could not find clues. They could not find anything. No witnesses.

And I came forth and said, we can at least flush out the people that for \$1 million will throw out this lower echelon hitman or you can get the middle. The top dog, that is going to be hard. There are a lot of connections up there. And it will be tough, but if you can get that amount of money, it is not going to take \$50,000 or \$100,000, but you get a million.

So, finally, I introduced a resolution to provide \$3 million, because I could not get any favorable agreement to that. And I was resisted and got nowhere with it. So then I kept talking.

Soon months passed and it looked like the John W. Wood case would die, as I said then, like Jimmy Hoffa. And I said, as long as I have breath, I will not cease from concentrating on this.

Well, finally, I forget how many months, it was almost a year, I went home on a Friday. And I was there at the house when at about 4 or 5 p.m., the phone rang. And it was Judge Webster, the Director of the FBI at that time.

And he said:

Congressman, I am calling you because in about 2 hours we are going to have a press release announcing the first four indictments on the John Wood case. And I was

calling you to thank you, because had it not been for your efforts that enabled us to have such things as a task force, which we had difficulty, but with you raising your voice day after day, week after week, month after month, we want you to know that we give you credit and we want to thank you for it. And that is the reason I am calling you. Now, it is confidential until we have this release in about an hour or two.

I forget whether he said 1 hour or 2 hours.

Well, that, to me, was all the reward I would ever hope to get. But as it turned out, they finally had an arrest and a conviction. They had the presumed hitman. Apparently, his background showed he was a pro. They had what I would say might be middle, but I do not know that the real, real powers behind that fated attempt to intimidate.

As I pointed out time after time, besides the assassination of President Kennedy, this is the assassination not only of this century but of any time in the history of the Federal judiciary. You never have a Federal judge assassinated. And we cannot tolerate to have that. You cannot have anybody, even if in the long run unsuccessfully, in the short run, over a period of time having any part of our judiciary, our law enforcement body, under the intimidation of a powerful but insidious and destructive element in our society.

So then, in the middle of this and right before these developments with the Federal attorney, I received definite information about a heavy volume of money coming across the border at will and that they were beginning to be used in some sort of a takeover of some S&L's. So I then tried to get the chairman of the subcommittee that has jurisdiction, and there was resistance.

I went to the then full committee chairman and he was not about to have any hearings in San Antonio.

So then I got desperate, and I told the chairman of the subcommittee that had absolute jurisdiction on supervision and so forth of financial institutions, I said:

I tell you, I am so concerned that if you don't do it, and I am respectful of the line of channels of jurisdiction, I am not a member of your subcommittee, I want to respect it, but if you don't do it, then I am going to do it in the name of the Subcommittee on International Finance.

Because there was no law, at that time, and it was not until 1978, 3 years after 1975, there was no law governing international banking. Can you believe this? I could not, when I first ascertained that.

We then, finally, under the pressure in the spring of 1975, had 2-day hearings. As a result of those 2-day hearings, we had two indictments and convictions. One of the S&L's south of my city went under, when it was revealed how it had been milked.

There was a bank that had become exposed but survived at that time, but

what concerned me more, after the hearings, was that during the course of the testimony, surfacing to our evidence were individuals from Louisiana and other places that were just as mysterious and questionable as anybody could be.

Well, it turned out that was a fore-runner of exactly what happened to us back 3 years ago when we were so agitated by the S&L crisis, as it was labeled.

The pattern was clearly visible since then.

One of the individuals whose name surfaced just 3 years ago was exposed as one of the big manipulators, and he was convicted. But mind you, we first knew of that activity since 1975.

I came back after the hearings in April 1975, and I asked the chairman, "There is no law. I am having the legislative service and counsel help me prepare at least something that I would consider minimal."

He did not seem to be interested. So I went on ahead and did it on my own. I introduced it. I could not get any hearings from the proper committees. So we went out that Congress, came back the next; same thing.

Then when we came back at the beginning of the 1977 Congress, I stirred up a little comment and finally the chairman called me in and he said, in the last session of that Congress in 1978, "Look, we think that the bill you have is too strong. The Federal Reserve Board won't give us a clearance on it and all of that. So we are going to have to water it down."

Well, they did. And it provided the first banking act known as the 1978 International Banking Act. But it was so watered down that I kept going, 1979, 1980, 1981, 1982, 1983, 1984, and it was not until we had the drug money laundering cash scandals that we got the first amendment, and that was a weak, a very weak one.

Then, finally, last year, we strengthened the so-called drug money laundering laws a little bit more. But in the meanwhile, as I have said here, just in the last few speeches I have made, you have the potential for many more BNL's, BCCI's, and only the Lord in heaven, with the advent of this huge speculative worldwide, unregulated worldwide, there is no government that has jurisdiction, even partially, on a trillion dollars, moving as fast as an instantaneous electronic signal can conduct, and speculating on an hour-to-hour, day-to-day basis on what is known as the International Currency Exchange or values, futures market.

□ 1610

This is what I fear is going to sink us, and not just us, the world.

I have been blessed, or I guess I could say it is a blessing, and there are some who would say, "Well, you don't want to remember everything," but I have a

good memory and I can remember after World War I, and why I would be interested in that, I do not know, but I can remember some of the writers who were speaking about why the bubble burst, Wall Street, the stock market. That was the symptom of something else that had been happening.

What was the something else? As I recall reading, and then through the years as I go back and reread, and in fact, I still have those publications, and do not ask me why I kept them since I was 15 years old, but I did, if we just change the names of the countries, the particulars, and instead of stock exchanges, we substitute what we have today in these highly speculative international currency exchange futures, we have the same thing.

Even with respect to what happened after World War I, and I remember it as if it were today, I had been working for this German druggist since I was 10 years old, because I started working when I was 10 years old, and there has not been a year since then until now, and I am 76, that I have not worked at something or another, depression or no depression.

I remember working for this German druggist. I remember him as if it were today. He was a very unusual man. One day he was talking about how he had just made, I forget how many dollars, \$500, but it was a lot of money in that day and time, and I am talking about a day and time when we were supposed to have prosperity, but gee, if we got 10 cents an hour that was not bad.

At that time you could buy a loaf of bread for a nickel, you could buy a pint of milk for a nickel, and it was another world. There is no use evoking it, I am just using this by comparison to say in how many ways things change but still stay the same, in so many ways. For us to make the same mistakes we made seems to me to be ironic and actually unforgivable.

What Mr. Von Helms was talking about was how he had made a killing by going to the bank and going into the stock market. I remember vividly, it was the month of May, 1929. When the big thing that we read about in history about the big fall in October 1929, the big bust occurred, it was not preceptible right away, any more than the 1987 precipitous decline of the market, also in October of 1987, was immediately visible.

I said recently what I remembered, and that was that we did not feel the impact of all of that until 2 or 3 years later. Sure enough, 2 years later almost to the day but in the month of October, 1931, Mr. Von Helms, the druggist, was foreclosed on and the bank that he banked in, the City Central Bank, went broke.

Let me tell the Members what kind of world it was. I was 12, I was 13, I was 14, and then when I became 15 was when he went broke. Every week he

would get a little paper sack, he would put the week's receipts in cash with a deposit slip, he would give it to me. I would get on the bicycle and I would pedal about 4 miles downtown, go to the bank, park my bicycle outside, go up to the teller, he would get it, stamp the receipt, and that was it. Nobody would ever think that anybody would bother me in any way, yet I would have as much as \$1,100, \$1,200, sometimes \$1,400 in that sack. Yet he was foreclosed on; just 2 years before, prosperity unbounded, forever and a day.

As a matter of fact, in reading the history of that period, it was May, 1929, that a blue-ribbon commission set up by President Hoover to report on the economic future of the United States said, "We see an unlimited prosperous Nation for the foreseeable future." That was May 1929.

Then when I read what the banks were doing, the banks could then borrow from the Fed, and this sounds like a lot of highfalutin language, but if we understand what the system is then it is not so complicated. The Federal Reserve Board, which is really not a Federal agency, though it was created by the Congress, is really a creature of the commercial banking system, the commercial banks.

It is the Federal Reserve Board that prints the money now. There is not a note or a bill, whatever we want to call it, in our pockets that does not say "Federal Reserve Note." It was not always that way. In fact, I remember more often than not when it was a U.S. Treasury note. There are a lot of reasons that I will not go into for that, but that is one of the causes why we are in the mess that we are in.

I remember the moratorium. Germany said, "You just cannot wring blood out of a turnip. We cannot pay the reparations you have imposed on us." I remember in the old Liberty magazine that I sold during the depression, and I used to go sell it, together with a couple of other magazines: The American magazine at that time, the Cosmopolitan, the Ladies Home Journal—I sold all of those. I did everything you could imagine, but I did something.

I remember reading the article and seeing the features of emaciated, pale-looking German mothers with little kids in line and the caption said, "German mothers waiting for milk." Then there is a picture I have been trying to locate, but I guess I lost it in one of those same publications, and it shows a whole row of men with their head on what looks like an iron rail, and it said, "German homeless men in a railroad station sleeping." That was 1932.

Then we began to see, like we did in 1982, the so-called homeless. I would meet and see 15-year-olds, 14, 13, my same-age kids, just traveling all over the Nation riding the rails. I would run into them at what we call San Pedro



Park. I do not know why, with all the guys playing there, I would be the one they would seek out. I got to know some, and they were just wandering the country.

□ 1620

It was hundreds of thousands and adult men that were called hobos, but actually they were not what later we were accustomed to call the drifter.

So in 1982, 1½ years after I had become chairman of the Subcommittee on Housing, I began to see a different kind of homeless. This time it was mother, father, maybe a child, maybe two, living in a car at a park, or underneath an underpass, and then an individual freezing to death here in the District of Columbia in that early autumn of 1982. And then a couple in New York, and then even back in the so-called Sun Belt, down in my part of the country, I had emergency cases. And I had to intervene with the housing authority because the Salvation Army did not have any room for the family context or over a 1-night stay even for male single adults. So I managed to get a father and a mother and one child, who had parked and were trying to live in their car in one of the west side parks, I got them emergency housing, thanks to the sensitivity of the public housing director.

So I then caused to be held the first hearing, and as a consequence brought the first national attention to what we now call homelessness. But what everybody forgets is we never had it like that since the depression. It is just like lists of money in the financial setup when the Germans said we cannot pay the reparations to the French and the British, and then the French and the British said well, Uncle Sam, we cannot pay you the war debts that we owe you, the money that we have borrowed from you, because, as I have single-mindedly brought up time after time going back to 26 years ago here on the House floor, our country was the only creditor nation in World War I and in World War II. We began as a creditor nation in the year 1914, and we did not become a debtor nation again until September 16, 1985, my colleagues. Put that date down in your notebook, because when that happened that meant the American hegemony was beginning to dwindle, if not fade out. And today, less than 7 years after, we are the greatest debtor nation in the world. And we want to delude ourselves into thinking we are the strongest, and the only, what do they call it, unipolar power. It is a delusion. It is a delusion.

We became a debtor nation again when the Department of Commerce announced it, very unnoticed, yes, but it announced it September 16, 1985.

In the meanwhile we have kind of worked in a decentralizing, sort of centrifugally, where say Europe, not to speak of Japan, but Europe has been

working toward a unification. I was the only one in this Congress that even mentioned EMS [the European Monetary System] or the ECU [the European Currency Unit].

In August of 1979, I brought out what to me was the most disturbing thing of all, and that was that the principal banks in the United States, in a matter of a year and a half or less, had loaned out in 1½ years, they went from \$3 billion to over \$47 billion to so-called lesser developed nations, governments, that I knew could not pay them back.

I will windup by saying this is where we really are today, plus the fact that we had allowed our domestic systems, such as the deposit insurance system to become so corrupted, and so out of purpose, certainly from congressional intent, that to me it is the most serious problem confronting us. And yet, we do not find the perception, and I cannot around a perception. I have tried for 3 years.

Let me just conclude by saying that it is simple arithmetic. You do not have to be a mathematician to figure this out. Right now there is in excess of \$4 trillion in commercial bank deposits that are insured, just in commercial banks, and they are insured deposits. Uncle Sam says if you have up to \$100,000 you are insured. But the average depositor is one who has less than \$9,000 in that bank.

Where is all of that other money, where is it from? Up until recently when we tried to partially stop it, last year the regulators had been paying out the uninsured, those that had more than \$100,000, some couple a couple of million.

Now we have 4 trillion dollars' worth, plus, of insured deposits just in the commercial banks, and we have an insolvent, a broke insurance fund, which is what we have in our country. The bank insurance fund is broke. It is insolvent.

What do you have? An insurance system or an illusion?

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

#### CONTINUED NATIONAL EMERGENCY WITH RESPECT TO IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102-46)

THE SPEAKER pro tempore (Mr. THORNTON) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since the last report of August 3, 1992, concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12772 of August 2, 1990. This report is submitted pursuant to sections 401(c) of the National Emergencies Act ("NEA"), 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. 1703(c).

Executive Order No. 12722 ordered the immediate blocking of all property and interests in property of the Government of Iraq (including the Central Bank of Iraq) then or thereafter located in the United States or within the possession or control of a U.S. person. That order also prohibited the importation into the United States of goods and services of Iraqi origin, as well as the exportation of goods, services, and technology from the United States to Iraq. The order prohibited travel-related transactions to or from Iraq and the performance of any contract in support of any industrial, commercial, or governmental project in Iraq. U.S. persons were also prohibited from granting or extending credit or loans to the Government of Iraq.

The foregoing prohibitions (as well as the blocking of Government of Iraq property) were continued and augmented on August 9, 1990, by Executive Order 12724, which was issued in order to align the sanctions imposed by the United States with United Nations Security Council Resolution 661 of August 6, 1990.

This report discusses only matters concerning the national emergency with respect to Iraq that was declared in Executive Order No. 12722 and matters relating to Executive Orders Nos. 12724 and 12817 (the "Executive Orders"). The report covers events from August 2, 1992, through February 1, 1993.

1. On October 21, 1992, President Bush issued Executive Order No. 12817, implementing the United States measures adopted in United Nations Security Council Resolution ("UNSCR") No. 778 of October 2, 1992. UNSCR No. 778 requires U.N. member states temporarily to transfer to a U.N. escrow account up to \$200 million apiece in Iraqi oil proceeds paid by the purchaser after the imposition of U.N. sanctions on Iraq. These funds finance Iraq's obligations for U.N. activities with respect to Iraq, including expenses to verify Iraqi weapons destruction and to provide humanitarian assistance in Iraq on a non-partisan basis. A portion of the escrowed funds will also fund the activities of the U.N. Compensation Commission in Geneva, which will handle claims from victims of the Iraqi invasion of Kuwait. The funds placed in the escrow account are to be returned, with interest, to the member states that transferred them to the U.N., as

funds are received from future sales of Iraqi oil authorized by the United Nations Security Council. No member state is required to fund more than half of the total contributions to the escrow account.

Executive Order No. 12817 authorized the Secretary of the Treasury (the "Secretary") to identify the proceeds of the sale of Iraqi petroleum or petroleum products paid for by or on behalf of the purchaser on or after August 6, 1990, and directed United States financial institutions holding such funds to transfer them to the Federal Reserve Bank of New York ("FRBNY") in the manner required by the Secretary. Executive Order No. 12817 further directs the FRBNY to receive, hold, and transfer funds in which the Government of Iraq has an interest at the direction of the Secretary to fulfill U.S. rights and obligations pursuant to UNSCR No. 778.

2. The economic sanctions imposed on Iraq by the Executive order are administered by the Treasury Department's Office of Foreign Assets Control ("FAC") pursuant to the Iraqi Sanctions Regulations, 31 CFR Part 575 ("ISR"). The ISR were amended on September 1, 1992, to revoke section 575.603, which had required U.S. financial institutions to file monthly reports regarding certain bank accounts in which the Government of Iraq has an interest. While this information was needed during the early implementation of the regulations and for a period thereafter, it is no longer required on a monthly basis and can be obtained by FAC on a case-by-case basis as required. The amendment is in harmony with President Bush's Regulatory Initiative.

3. Investigations of possible violations of the Iraqi sanctions continue to be pursued and appropriate enforcement actions taken. These are intended to deter future activities in violation of the sanctions. Additional civil penalty notices were prepared during the reporting period for violations of the IEEPA and ISR with respect to transactions involving Iraq. Penalties were collected, principally from financial institutions which engaged in unauthorized, albeit apparently inadvertent, transactions with respect to Iraq.

4. Investigation also continues into the roles played by various individuals and firms outside Iraq in Saddam Hussein's procurement network. These investigations may lead to additions to the FAC listing of individuals and organizations determined to be Specially Designated Nations ("SDNs") of the Government of Iraq.

5. Pursuant to Executive Order No. 12817 implementing UNSCR No. 778, on October 26, 1992, FAC directed the FRBNY to establish a blocked account for receipt of certain post-August 6, 1990, Iraqi oil sales proceeds, and to hold, invest, and transfer these funds as required by the order. On the same

date, FAC directed the eight United States financial institutions holding the affected oil proceeds, on allocated, pro rata basis, to transfer a total of \$200 million of these blocked Iraqi assets to the FRBNY account. On December 15, 1992, following the payment of \$20 million by the Government of Kuwait and \$30 million by the Government of Saudi Arabia to a special United Nations-controlled account, entitled UNSCR No. 778 Escrow Account, the FRBNY was directed to transfer a corresponding amount of \$50 million from the blocked account it holds to the United Nations-controlled account. Future transfers from the blocked FRBNY account will be made on a matching basis up to the \$200 million for which the United States is potentially obligated pursuant to UNSCR No. 778.

6. Since the last report, one case filed against the Government of Iraq has gone to judgment. *Consarc Corporation v. Iraqi Ministry of Industry and Minerals et al.*, No. 90-2269 (D.D.C., filed December 29, 1992), arose out of a contract for the sale of furnaces by plaintiff to the Iraqi Ministry of Industry and Minerals ("MIM"), an Iraqi governmental entity. In connection with the contract, the Iraqi defendants opened an irrevocable letter of credit with an Iraqi bank in favor of Consarc, which was advised by Pittsburgh National Bank ("PNB"), with the Bank of New York ("BoNY") entering into a confirmed reimbursement agreement with the advising bank. Funds were set aside at BoNY in an account of the Iraqi bank, for reimbursement of BoNY if PNB made a payment to Consarc on the letter of credit and sought reimbursement from BoNY. Consarc received a down payment from the Iraqi MIM and manufactured the furnaces. No goods were shipped prior to imposition of sanctions on August 2, 1990, and the United States claimed that the funds on deposit in the Iraqi bank account at BoNY were blocked, as well as the furnaces manufactured for the Iraqi Government or the proceeds of the sale of the furnaces to third parties. The district court ruled that the furnaces or their sales proceeds were properly blocked pursuant to the declaration of the national emergency and blocking of Iraqi Government property interests, but that, due to fraud on MIM's part in concluding the sales contract, the funds on deposit in an Iraqi bank account at BoNY were not the property of the Government of Iraq, and ordered FAC to unblock these funds. FAC has noted its appeal of this ruling.

7. FAC has issued a total of 337 specific licenses regarding transactions pertaining to Iraq or Iraqi assets since August 1990. Since the last report, 49 specific licenses have been issued. Licenses were issued for transactions such as the filing of legal actions in-

volving Iraqi interests, for legal representation of Iraq, and the exportation to Iraq of donated medicine, medical supplies, and food intended for humanitarian relief purposes.

To ensure compliance with the terms of the licenses which have been issued, stringent reporting requirements have been imposed that are closely monitored. Licensed accounts are regularly audited by FAC compliance personnel and deputized auditors from other regulatory agencies. FAC compliance personnel continue to work closely with both State and Federal bank regulatory and law enforcement agencies in conducting special audits of Iraqi accounts subject to the ISR.

8. The expenses incurred by the Federal Government in the 6-month period from August 2, 1992, through February 1, 1993, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iraq are estimated at about \$2 million, most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in FAC, the U.S. Customs Service, the Office of the Assistant Secretary for Enforcement, the Office of the Assistant Secretary for International Affairs, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near East and South Asian Affairs, the Bureau of International Organizations, and the Office of the Legal Adviser), the Department of Transportation (particularly the U.S. Coast Guard), and the Department of Commerce (particularly in the Bureau of Export Administration and the Office of the General Counsel.)

9. The United States imposed economic sanctions on Iraq in response to Iraq's invasion and illegal occupation of Kuwait, a clear act of brutal aggression. The United States, together with the international community, is maintaining economic sanctions against Iraq because the Iraqi regime has failed to comply fully with United Nations Security Council resolutions, including those calling for the elimination of Iraqi weapons of mass destruction, the inviolability of the Iraq-Kuwait boundary, the release of Kuwaiti and other third country nationals, compensation for victims of Iraqi aggression, long-term monitoring of weapons of mass destruction (WMD) capabilities, and the return of Kuwaiti assets stolen during its illegal occupation of Kuwait. The U.N. sanctions remain in place; the United States will continue to enforce those sanctions.

The Saddam Hussein regime continued to violate basic human rights by repressing the Iraqi civilian population and depriving it of humanitarian assistance. The United Nations Security



Council passed resolutions that permit Iraq to sell \$1.6 billion of oil under U.N. auspices to fund the provision of food, medicine, and other humanitarian supplies to the people of Iraq. Under the U.N. resolutions, the equitable distribution within Iraq of this assistance would be supervised and monitored by the United Nations. The Iraqi regime continued to refuse to accept these resolutions and has thereby chosen to perpetuate the suffering of its civilian population.

The regime of Saddam Hussein continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, as well as to regional peace and security. Because of Iraq's failure to comply fully with United Nations Security Council resolutions, the United States will therefore continue to apply economic sanctions to deter Iraq from threatening peace and stability in the region, and I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

The White House, February 16, 1993.

#### APPOINTMENT AS MEMBERS OF HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5(b) of Public Law 93-191, the Chair, on behalf of the Speaker, appoints as members of the House Commission on Congressional Mailing Standards the following members of the House: Mr. CLAY of Missouri, chairman; and Mr. MYERS of Indiana.

There was no objection.

□ 1630

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 670, FAMILY PLANNING AMENDMENTS ACT OF 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-15) on the resolution (H. Res. 81) providing for the consideration of the bill (H.R. 670) to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### THE SAVAGERY IN BOSNIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, there are times we have to examine unflinching the savagery in human hearts, and nowhere is this more urgently needed than in Bosnia.

The facts are neither obscure nor complicated.

After all, what is obscure or complicated about the 12-year-old girl described in a recent Newsweek?

She was evicted from her village last August. During the first night in a detention camp two soldiers pitched her out, took her to an empty apartment and raped her.

They did this for 9 nights in a row, once with her mother and another inmate. When the Serb soldiers were through with her they exchanged her for some Serbian prisoners and she now lives in a refugee center near Sarajevo.

Her father? He was beaten and dragged off to another prison camp. Nobody has heard from him since.

Is this an isolated case?

Absolutely not. For almost a year we have heard the stories of torture and murder coming from Bosnia, all in the name of ethnic cleansing, the latest sickening euphemism for genocide.

Now we have been provided evidence that the Serbs are systematically raping Moslem women—the estimates range from 30,000 to 50,000 rapes in the last few months.

Let me put this in a little broader framework.

In the last year, Moslems have been subjected to nothing less than persecution in a number of places around the world.

I include in this the recent deportation of Palestinian refugees from Israel.

And rivalling the Bosnian example, I include the atrocities committed against Muslims by the Hindu extremists in India.

Here, too, the evidence is hardly obscure.

Let me quote from a recent New York Times article, datelined Bombay: Nazira Khatoun rocked slowly back and forth on a dirty mat. A stream of tears glistened on her face as she recounted how a mob broke into her house in a Bombay shantytown and seized her son as the police looked on and did nothing.

I said, "Don't do anything to my son," she recalled. "He was married just two days before. The mob of 250 came. They were with swords and stones, and they pushed me into the bathroom. They took all my property and killed my son in front of me. The police just stood there watching."

Again: an isolated example?

Hardly.

For 9 days in January, Hindu mobs roamed Bombay, killing and burning Muslims in what the Times apply called an "orgy of violence."

Six hundred Moslems were killed. Moreover, it's now clear that the Indian police were ordered to allow this savagery to continue.

Mr. Speaker, America is not a Moslem country. But it is a fundamental

cornerstone of our beliefs that when we see such butchery we cannot turn our backs.

Yes, there is room for measured thought about how we calibrate America's response.

But there should be room for sheer outrage, too.

And when it comes to Bosnia, that outrage should help influence our response.

Now, I know for some, Bosnia is a word in a headline.

Let me provide some background.

What exactly is Bosnia?

It is a patchwork of 4.4 million people, 44 percent Slavic Moslems, 31 percent Serbs, and 16 percent Croats.

Since fighting erupted last April, the Bosnian Serb militia has seized about two-thirds of Bosnia in a brutal war that has left as many as 100,000 dead and over 1½ million homeless.

A number of cease-fires and peace plans have failed to end the fighting. The United Nations is providing some relief to Sarajevo and other besieged cities. But conditions remain bleak. And there is a lot of pressure for international military intervention.

The situation is complicated by the brutal repression of ethnic Albanians in Kosova, another province of Serbia.

They have been subjected to political imprisonment, torture and killings. Albanian-language journalists and schools have been repressed.

I don't want to make it seem like this just happened—that there was some spontaneous welling up of hatred among the Serbs. Oh, yes, the Serbs have leaders.

I haven't found much to agree on with Lawrence Eagleburger. But I certainly agree with his call for a war-crimes trial with the chief architects of this policy—the despicable Serbian President Slobodan Milosevic, and the political and military leaders of the Bosnian Serbs, Radovan Karadzic, and Ratko Mladic.

Why not send American forces to Bosnia the way we did to Somalia?

The difficulties are obvious. This is not a flat country with a few marauding gangs, easily cowed.

"There are perhaps 200,000 armed men in Bosnia," said the British military historian, John Keegan, suggesting the need for a half-million troops to disarm them.

Meanwhile, there have been those who have tried to find solutions.

Lord Owen and Cyrus Vance have formulated a peace plan in which Bosnia would be divided into 10 largely autonomous republics. All Americans know Cyrus Vance as a skilled and principled diplomat. Yet this is a plan which, simply put, rewards Serbian aggression of the most brutal sort.

That's why last week Secretary Christopher outlined the administration's plan on Bosnia.

There are six steps:

First, appoint a special U.S. envoy, Reginald Bartholomew to work with Cyrus Vance and Lord Owen.

Second, stress that negotiations are the key to settlement, that it can't be imposed on the Serbs.

Third, tighten the enforcement of economic sanctions.

Fourth, call for a halt in the fighting, enforcing the no-fly zone, ensuring the flow of humanitarian aid, and creating a richly deserved war crimes tribunal.

Fifth, prepare to enforce an agreement with an international armed force.

Sixth, coordinate efforts with allies, particularly Russia.

Is this enough?

Well, it's certainly a good step. It shows our active involvement with Bosnia. I am particularly happy that the Secretary specifically warned against Serbian incursions in Kosovo.

But there are many questions.

How aggressively will we enforce the no-fly zone?

How tough are we going to be with economic sanctions?

How vigorous will we be in helping with humanitarian aid?

And there is one crucial point:

Why not lift the arms embargo to allow Bosnian Muslims to defend themselves?

Don't we really want to encourage negotiation? Isn't compromise the essence of negotiation?

Well, right now the Serbs have an enormous military advantage. What is their incentive to compromise?

Not much. Only if the Bosnians came to the table on a more equal footing would they compromise.

That's why I have cosponsored House Concurrent Resolution 24.

It calls for a lifting of the arms embargo.

It calls for strict enforcement of the no-fly zone over Bosnia.

And it also calls for the acceptance of Bosnian refugees into the United States.

Why not? Was there ever a case where refugees were more clearly the result of political oppression?

The novelist Arthur Koestler once wrote that "statistics don't bleed."

In thinking about America's response, we must remember people like Borislav Herak.

A 21-year-old Serb laborer from Sarajevo, Herak admits to raping seven Moslem women and to killing two of his victims. "We were ordered to rape so that our morale would be higher," he says. "We were told we would fight better if we raped the women."

And he describes a rape camp outside Sarajevo populated by 70 Moslem women and girls.

"Those who were killed," the reporter writes, "were quickly replaced."

Mr. Speaker, does international law mean anything? Since 1907 it has pro-

hibited attacks on undefended civilian targets. The Geneva Convention of 1929 and 1949 prohibits "outrages against personal dignity."

Isn't a rape camp an outrage? Isn't using rape as a morale booster an outrage?

We must be stronger in our condemnation of the systematic rape of Moslem women. We must create an international tribunal to prosecute these crimes against humanity.

Mr. Speaker, I think of the remark attributed to the German pastor Martin Niemöller, writing about the 1930's.

When Hitler attacked the Jews, I was not a Jew, therefore, I was not concerned. And when Hitler attacked the Catholics, I was not a Catholic, and therefore, I was not concerned. And when Hitler attacked the unions and the industrialists, I was not a member of the unions and I was not concerned. Then Hitler attacked me and the Protestant church—and there was nobody left to be concerned.

If we have learned anything from history, it is to unite in the face of genocide.

It is being practiced today. It is being practiced in Bombay. It is being practiced in Bosnia.

Two hundred years ago, another principled thinker, Edmund Burke, wrote the sheriffs of Bristol: "A conscientious man would be cautious how he dealt in blood."

I applaud the determination of the new administration to be engaged when it comes to Bosnia. I ask them to support lifting the arms embargo.

Yes, there are risks.

But right now the defenseless Bosnians have taken all the risks for themselves. And they pay, each day and night, in tears and in blood.

□ 1640

Mr. Speaker, there are times we have to examine unflinchingly the savagery of the human heart, and I think examining it in Bosnia today, in Bombay, it is important for all of us who would stand by those who believe in freedom and justice and the dignity of the person.

I urge my colleagues and I urge the administration to forcefully pursue and actively engage themselves in making sure that this type of outrage against humanity is condemned and brought to an end in Bosnia.

#### RULES OF PROCEDURE FOR THE COMMITTEE ON AGRICULTURE FOR THE 103D CONGRESS

(Mr. DE LA GARZA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DE LA GARZA. Mr. Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to rule XI, clause 2(a) of the rules of the House, a copy of the rules of the Committee on Agriculture, which were adopted at the organizational meeting of

the committee on January 7, 1993. The rules were agreed to by a unanimous voice vote.

Appendix A of the committee's rules, prescribing the form of a proxy required by the rules, is included in this submission. Appendix B of the committee rules includes excerpts from the rules of the house relevant to the operation of the committee. Appendix C includes relevant excerpts from the Congressional Budget Act of 1974. In the interests of minimizing printing costs, appendices B and C are omitted from this submission.

#### RULES OF THE COMMITTEE ON AGRICULTURE

##### I. GENERAL PROVISIONS

a. Rules of the U.S. House of Representatives.—The Rules of the House shall govern the procedure of the Committee so far as applicable, and the rules of the Committee shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees. (See Appendix B for the applicable Rules of the U.S. House of Representatives.)

b. Applicability to Subcommittees.—The following rules shall apply to meetings, hearings, and other activities of Subcommittees, which are part of the Committee and subject to its authority and direction, only when specifically so stated.

##### II. COMMITTEE OR SUBCOMMITTEE BUSINESS MEETINGS

a. Regular and Additional Meetings.—The Committee shall meet on the first Tuesday of each month while Congress is in session. The Committee also shall meet at the call of the Chairman at such other times as the Chairman considers to be necessary, subject to advance notice to all Committee members. Insofar as practicable, an agenda for all regular and additional Committee meetings, setting forth all the measures and matters to be considered, shall be furnished each Committee member prior to the meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. If the Chairman determines that any meeting convened by the Chairman need not be held, the Chairman shall give all members of the Committee notice to that effect as far in advance of the meeting day as practicable, and no meeting shall be held on such day. See Rule VI. e. for provisions which apply to meetings of Subcommittees.

b. Special Meetings.—If at least three members of the Committee file a written request in the Committee offices that a special meeting be called by the Chairman to consider a specific measure or matter, the Staff Director shall immediately notify the Chairman of the filing of such request. If, within three calendar days after the filing of such request, the Chairman does not call the requested special meeting to be held at a time within seven calendar days after the filing of such request, a majority of the members of the Committee may file in the Committee offices their written notice that a special meeting will be held at a specified date and hour to consider a specified measure or matter. If such a notice is filed, the Committee shall meet on that date and hour. Immediately upon the filing of such a notice, the Staff Director shall notify all members of the Committee that such special meeting will be held at the specified date and hour to consider the specified measure or matter. Only the measure or matter so specified in the meeting notice as filed by the majority



of Committee members and transmitted to all Committee members may be considered at a special meeting.

c. Vice Chairman.—The member of the majority party on the Committee ranking immediately after the Chairman of the Committee shall be the Vice Chairman of the Committee, and the member of the majority party on each Subcommittee ranking immediately after the Chairman of the Subcommittee shall be the Vice Chairman of that Subcommittee.

d. Presiding Member.—If the Chairman is not present at any Committee meeting or hearing, the Vice Chairman or, in the absence of the Vice Chairman, the ranking member of the majority party on the Committee who is present shall preside. If the Chairman is not present at any Subcommittee meeting or hearing, the Vice Chairman or, in the absence of the Vice Chairman, the ranking member of the majority party who is present shall preside.

e. Open Business Meetings.—Each Committee or Subcommittee meeting for the transaction of business, including the markup of legislation, shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No person other than members of the Committee or Subcommittee and such congressional staff and departmental representatives as the Committee or Subcommittee may authorize shall be present at any business or markup session that has been closed to the public. This clause does not apply to Committee or Subcommittee hearings or to any meeting that, as announced by the Chairman of the Committee or Subcommittee, relates solely to internal budget or personnel matters.

f. Records and Roll Calls.—A complete record of all Committee or Subcommittee action shall be kept in the form of written minutes, including a record of the votes on any question as to which a roll call is demanded. A roll call vote shall be ordered on demand by one-fifth of the members present. The record of such action and the results of the roll call votes during each session of Congress shall be made available by the Committee, on request, for public inspection during regular office hours in the Committee offices and on telephone request. The information so available on roll call votes shall include a brief description of the amendment, motion, order, or other proposition; the name of each member voting for and each member voting against such amendment, motion, order, or other proposition; whether such vote was by proxy or in person; and names of those members present but not voting. A stenographic record of a business meeting of the Committee or Subcommittee may be kept and thereafter may be published if the Chairman of the Committee determines there is need for such a record. The proceedings of the Committee or Subcommittee in a closed meeting, other than roll call votes, shall not be divulged unless otherwise determined by a majority of the Committee or Subcommittee. See Rule IV. f. for publication of the minutes of meetings.

g. Quorums.—A majority of the members of the Committee or Subcommittee shall constitute a quorum of the Committee or Subcommittee for the purpose of convening meetings, conducting business, and voting on any matter: *Provided*, That the Chairman of the Committee may determine that one-third of the members of the Committee shall constitute a quorum of the Committee at

any meeting for such purpose (other than for the reporting of any measure or recommendation, and voting on the authorization of subpoenas and on the closing of hearings and business meetings to the public) if the Chairman gives written notice to that effect to the members prior to the meeting.

h. Proxy Voting.—A member may vote by proxy on any matter before the Committee or Subcommittee other than the issuance of a subpoena pursuant to Rule III. c. The proxy authorization shall be in writing, shall assert that the member is absent on official business or otherwise is unable to be present at the Committee or Subcommittee meeting, shall designate the member who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto. A member may authorize a general proxy only for motions to recess, adjourn, or other procedural matters. Each proxy to be effective shall be signed by the member assigning the vote and shall contain the date and time of day the proxy is signed as well as the date or dates during which it is to be effective. (See Appendix A for the proxy form required by the Committee or Subcommittee.) In order to be cast in a vote, a proxy shall be filed with the Committee or Subcommittee during such vote and must be placed on file with the Staff Director. Proxies shall not be counted toward a quorum.

i. Location of Persons at Meetings.—No person other than a Member of Congress or Committee or Subcommittee staff may walk in or be seated at the rostrum area during a meeting of the Committee or Subcommittee unless the Chairman or a majority of the Committee or Subcommittee determines otherwise.

j. Consideration of Amendments and Motions.—A member, upon request, may be recognized by the Chairman to address the Committee or Subcommittee at a meeting for not more than five minutes on behalf of an amendment or motion offered by the member or another member, or upon any other matter under consideration, unless the member receives unanimous consent to extend the time limit. Every amendment, substitute amendment, amendment to an amendment, or amendment in the nature of a substitute made in Committee or Subcommittee that is substantial as determined by the Chairman shall, upon the demand of any member present, be reduced to writing, and a copy thereof shall be made available to all members present: *Provided*, That such amendment shall remain pending before the Committee or Subcommittee and may not be voted on until the requirements of this section have been met.

k. Points of Order.—No point of order against the hearing or meeting procedures of the Committee or Subcommittee shall be sustained unless it is made in a timely fashion.

### III. COMMITTEE OR SUBCOMMITTEE HEARINGS

a. Power to Hear.—For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee is authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. See Rule VI. e. for provisions relating to Subcommittee hearings and meetings.

b. Announcement of Hearings.—The Chairman of the Committee or Subcommittee shall publicly announce the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that

hearing unless the Committee or Subcommittee or the Chairman of the Committee or Subcommittee, after consultation with the Ranking Minority Member of the Committee or Subcommittee, as applicable, determines that there is good cause to begin such hearing at an earlier date, in which case the announcement of the hearing shall be made by the Chairman of the Committee or Subcommittee at the earliest possible date. The Staff Director shall notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement has been made and enter the announcement into the Committee scheduling service of the House Information Systems.

c. Power to Subpoena.—For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee is authorized to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it deems necessary. A subpoena may be authorized and issued in the conduct of any investigation or series of investigations or activities by the Committee or by a Subcommittee when authorized by a roll call vote of the majority of the members of the Committee, a majority being present, except that no proxies may be used to vote on the authorization and issuance of such a subpoena. Authorized subpoenas shall be signed by the Chairman of the Committee or by any other member the Committee may designate. Notice of a meeting to consider a motion to authorize and issue a subpoena shall be given to all members of the full Committee by 5 p.m. of the day preceding the day of such meeting. Compliance with a Committee or Subcommittee issued subpoena may be enforced only as authorized or directed by the House.

d. Scheduling of Hearings and Witnesses.—Except as otherwise provided in this clause, the scheduling of hearings and witnesses and determination of the time allowed for the presentation of testimony and interrogation shall be at the discretion of the Chairman or a majority of the Committee or Subcommittee. Whenever any hearing is conducted by the Committee or Subcommittee on any measure or matter, the Committee's or Subcommittee's minority party members shall be entitled, on request by a majority of them to the Chairman of the Committee or Subcommittee before the completion of the hearing, to call witnesses selected by them to testify with respect to that measure or matter during at least one day of the hearing.

e. Witnesses' Statements in Advance.—Each witness who is to appear before the Committee or Subcommittee shall, insofar as practicable, file with the Staff Director a written statement of the witness's prepared testimony at least two working days in advance of the witness's appearance in order to permit the testimony to be distributed to and reviewed in advance by Committee or Subcommittee members. Witnesses shall provide sufficient copies of their statement for distribution to Committee or Subcommittee members, staff, and the news media. The Committee or Subcommittee staff shall distribute such written statements to all members of the Committee or Subcommittee as soon as they are received as well as any official reports from departments and agencies on such subject matter.

f. Testimony of Witnesses.—The Chairman of the Committee or Subcommittee or any member designated by the Chairman may ad-

minister an oath to any witness. Each witness who has been subpoenaed, on the completion of the witness's testimony, may report in person or in writing to the Staff Director and sign appropriate vouchers for travel allowances and attendance fees. All witnesses may be limited in their oral presentations to brief summaries of their statements within the time allotted to them, at the discretion of the Chairman of the Committee or Subcommittee in light of the nature of the testimony and the length of time available.

g. Questioning of Witnesses.—Committee or Subcommittee members may question witnesses only when they have been recognized by the Chairman of the Committee or Subcommittee for that purpose. Each member so recognized shall be limited to questioning a witness (or panel of witnesses) for five minutes until such time as each member of the Committee or Subcommittee who so desires has had an opportunity to question the witness (or panel of witnesses) for five minutes, and, thereafter, the Chairman of the Committee or Subcommittee may limit the time of further questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless the Chairman or a majority of the Committee or Subcommittee determines otherwise, no person shall interrogate witnesses other than members and Committee or Subcommittee staff.

h. Open Hearings.—Each hearing conducted by the Committee or Subcommittee shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives: *Provided*, That the Committee or Subcommittee may, by the same procedure, vote to close one subsequent day of hearing. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony (1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Rule III. k. or (2) may vote to close the hearing, as provided in Rule III. k. In any event, no Member of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the Committee or Subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its meetings to members by means of the above procedure.

i. Quorum.—The quorum for taking testimony and receiving evidence shall be two members of the Committee or Subcommittee.

j. Record of Hearing.—An accurate stenographic record shall be kept of all testimony taken at public hearings. Any public witness, during Committee office hours in the Committee offices and within two weeks of the close of hearings, may examine the transcript of his or her own testimony and make such grammatical or technical changes as will not substantially alter the nature of testimony given. Members of the Committee or

Subcommittee shall receive copies of transcripts for their prompt review and correction for return to the Committee. The Chairman of the Committee may order the printing of a hearing record without the corrections of any member or witness if the Chairman determines that such member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is the subject of the hearing. The record of a hearing closes ten calendar days after the last oral testimony, unless the Chairman of the Committee or Subcommittee otherwise determines. Any person requesting to file a statement for the record of a hearing must so request before the hearing concludes and must file the statement before the record closes. No written statement becomes part of the record and thus publicly available until such time as it has been approved by the Chairman of the Committee or any Committee staff the Chairman designates, and the Chairman of the Committee or Subcommittee or the Chairman's designee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

k. Investigative Hearings.—The Chairman of the Committee or Subcommittee at an investigative hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee rules (and the applicable provisions of Clause 2 of Rule XI of the House Rules, regarding investigative hearing procedures, a copy of which appears in Appendix B) shall be made available to each witness. Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or Subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt. Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person—

(1) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of Rule III. h., if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or Subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; or

(2) the Committee or Subcommittee shall proceed to receive such testimony in open session only if a majority of the members of the Committee or Subcommittee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the Committee or Subcommittee shall afford such person any opportunity voluntarily to appear as a witness; and the Committee or Subcommittee shall receive and the Committee shall dispose of requests from such person to subpoena additional witnesses.

Except as provided above, the Chairman shall receive and the Committee shall dispose of requests to subpoena additional witnesses. No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee or Subcommittee. In the discretion of the Committee or Subcommittee,

witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee or Subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearings. A witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by the Committee or Subcommittee.

1. Broadcasting and Photography.—Television, film making, and live radio broadcasting of all or part of any Committee hearing or meeting shall be permitted only when the Committee by a majority vote agrees or, if the Committee cannot be polled in a timely manner, when approved by the Chairman of the Committee after consultation with the Ranking Minority Member. Except as otherwise determined by the Committee, television, film making, and live radio broadcasting of all or part of any Subcommittee hearing or meeting shall be permitted only when the Subcommittee by a majority vote agrees or, if the Subcommittee cannot be polled in a timely manner, when approved by the Chairman of the Committee or the Chairman of the Subcommittee after consultation with the Ranking Minority Member of the Committee or Subcommittee. Radio broadcasting that is not live and still photography are permitted of any Committee or Subcommittee meeting or hearing unless otherwise determined by the Chairman of the Committee or applicable Subcommittee after consultation with the Ranking Minority Member of the Committee or Subcommittee: *Provided*, That when such radio broadcasting is conducted, written notice to that effect shall be placed on the desk of each Member. Each Committee or Subcommittee Chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room. Any broadcasting electronic recording, film making, or still photography of all or part of a hearing or meeting shall be subject to the provisions of House Rule XI, clause 3(f), which appear in Appendix B.

#### IV. THE REPORTING OF BILLS AND RESOLUTIONS

a. Filing of Reports.—The Chairman shall report or cause to be reported promptly to the House any bill or resolution approved by the Committee and shall take or cause to be taken all necessary steps to bring such bill or resolution to a vote. A Committee report on any bill or resolution approved by the Committee shall be filed within seven calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the Staff Director of the Committee a written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

b. Content of Reports.—Each Committee report on any bill or resolution approved by the Committee shall include as separately identified sections:

- (1) a statement of the intent or purpose of the bill or resolution;
- (2) a statement describing the need for such bill or resolution;
- (3) the results of the roll call vote on the motion to report such bill or resolution, including the total number of votes cast for and total number of votes cast against such reporting;
- (4) the detailed statement described in section 308(a)(1) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing



appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures;

(5) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 403 of the Congressional Budget Act of 1974 and submitted in timely fashion to the Committee;

(6) any oversight findings and recommendations made by the Committee or the Committee on Government Operations or both to the extent such were available during the Committee's deliberations on the bill or resolution;

(7) a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy;

(8) an estimate of the costs that would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and for its authorized duration or for each of the five fiscal years following the fiscal year or reporting, whichever period is less, together with a comparison of these estimates with those made and submitted to the Committee by any Government agency (the provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(9) the changes in existing law (if any) shown in accordance with Rule XIII, clause 3, of the House Rules;

(10) the determination required pursuant to section 5(b) of Public Law 92-463, if the legislation reported establishes or authorizes the establishment of an advisory committee; and

(11) such other matter as the Chairman of the Committee determines to be useful for public understanding of the intent and effect of the bill or resolution.

c. Supplemental, Minority, or Additional Views.—If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that member, with the Staff Director of the Committee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter. The report of the Committee on that measure or matter shall be printed in a single volume, which shall:

(1) include all supplemental, minority or additional views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (C) and (D) on paragraph (1)(3) of House Rule XI, clause 2) are included as part of the report.

This clause shall not preclude the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this clause or the filing by the Committee of any supplemental report on any bill or reso-

lution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

d. Availability of Printed Hearing Records.—If hearings have been held on any reported bill or resolution, the Committee shall make every reasonable effort to have the record of such hearings printed and available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House.

e. Committee Prints.—All Committee or Subcommittee prints or other Committee or Subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

f. Publication of Minutes.—The Chairman of the Committee, in consultation with the Ranking Minority Member, shall cause to be published as a Committee Print on a periodic basis (and insofar as practicable on a semi-annual basis) the minutes of all business meetings and hearings of the Committee and any of its Subcommittees; and such minutes shall include a record of the attendance of members, all recorded votes, and the action on all amendments and motions relating to legislation.

#### V. OTHER COMMITTEE ACTIVITIES

a. Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

b. Budget Act Compliance: Views and Estimates (See Appendix C).—The Committee shall, within 6 weeks after the President submits a budget under section 1105(a) of title 31, United States Code, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974) that are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

c. Budget Act Compliance: Subdivision of Allocations (See Appendix C).—As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 602 of the Congressional Budget Act of 1974.

d. Budget Act Compliance: Recommended Changes (See Appendix C).—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolu-

tions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

e. Conference Committees.—Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall determine the number of conferees the Chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be chosen, the names of those members of the Committee who were primarily responsible for the legislation and, to the fullest extent feasible, those members of the Committee who were the principal proponents of the major provisions of the bill as it passed the House and such other Committee members of the majority party as the Chairman may designate in consultation with the members of the majority party. Such recommendations shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority members to minority party members on the Committee. In making recommendations of minority party members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

f. Committee Records.—All Committee or Subcommittee hearing materials, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairman, and such records shall be the property of the House with all Members of the House having access thereto. The Staff Director shall promptly notify the Chairman and Ranking Minority Member of any request for access to such records.

g. Archiving of Committee Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority member of any decisions, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee.

#### VI. SUBCOMMITTEES

a. Number and Composition.—There shall be such Subcommittees as specified in clause b. of this rule. Each of such Subcommittees shall be composed of the number of members set forth in such clause b., including ex officio members.<sup>1</sup> The Chairman may create additional Subcommittees of an ad hoc nature as the Chairman determines to be appropriate.

b. Jurisdiction.—The Subcommittees shall have the following general jurisdiction and number of members.

##### Commodity subcommittees

General Farm Commodities (26 members, 16 majority and 10 minority).—Wheat, feed grains, soybeans, oilseeds not otherwise assigned, cotton, cottonseed, rice, dry beans, peas, and lentils, generally.

Livestock (18 members, 11 majority and 7 minority).—Livestock (including aquaculture), dairy, poultry, and animal welfare, generally.

Specialty Crops and Natural Resources (22 members, 14 majority and 8 minority).—To-

<sup>1</sup> The Chairman and Ranking Minority Member of the Committee (See clause d. of this Rule).

bacco, peanuts, sugar, bees (honey), forestry, domestic marketing, and marketing orders, generally.

#### Operational subcommittees

Department Operations and Nutrition (24 members, 15 majority and 9 minority).—Agency review and analysis, research, pesticides, food safety, nutrition, food stamps, and consumer programs, generally.

Environment, Credit and Rural Development (27 members, 17 majority and 10 minority).—Water and soil conservation, small watershed program, agricultural credit, commodity futures, rural development, family farming, and energy matters, generally.

Foreign Agriculture and Hunger (15 members, 9 majority and 6 minority).—Foreign agricultural programs, hunger, oversight not otherwise assigned, and special investigations, generally.

c. Referral of Legislation.—In the case of any measure or matter not specifically described above, or that includes the jurisdiction of two or more Subcommittees, the Chairman may, unless the Committee by a majority vote decides otherwise, refer such measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any Subcommittees), or divide the matter into two or more parts reflecting different subjects and jurisdiction and refer each part to a different Subcommittee, or refer the matter to an ad hoc Subcommittee appointed by the Chairman for the specific purpose of considering that matter and reporting to the Committee thereon, or make such other provisions as may be appropriate. The Chairman, with the approval of a majority of the Committee, shall have authority to discharge a Subcommittee from further consideration of any bill, resolution, or other matter referred thereto and have such bill, resolution, or other matter considered by the Committee. All legislation and other matters referred to the Committee shall be referred to all Subcommittees of appropriate jurisdiction within two weeks unless, by majority vote of the members of the Committee, consideration is to be by the Committee.

d. Service on Subcommittees.—The Chairman and the Ranking Minority Member shall serve as ex officio members of all Subcommittees and shall have the right to vote on all matters before such Subcommittees, but shall not be counted for the purpose of establishing a quorum. Any member of the Committee may have the privilege of sitting with any Subcommittee during its hearing or deliberations and participate therein, but shall not have authority to vote on any matter, nor be counted present for the purpose of a quorum for any Subcommittee action, nor, except as the Subcommittee Chairman or a majority of the Subcommittee may permit, participate in questioning of witnesses under the five-minute rule, nor raise points of order unless such member is a member of such Subcommittee.

e. Subcommittee Hearings and Meetings.—Each Subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it or under its jurisdiction. Subcommittee Chairmen shall set dates for hearings and meetings of their Subcommittees, after consultation with the Chairman of the Committee and one another, with a view toward avoiding simultaneous scheduling of Committee and Subcommittee meetings or hearings whenever possible. Notice of all such meetings shall be given to the Chairman and the Ranking Minority Member of the Com-

mittee by the Staff Director. No Subcommittee shall hold meetings or hearings outside of the House unless permission to do so is granted by the Chairman, or a majority, of the Committee. If a vacancy should occur in a Subcommittee chairmanship, the Chairman of the Committee may set the dates for hearings and meetings of the Subcommittee during the period between the date of vacancy and the date the vacancy is filled. The provisions of Rule II. a. regarding notice and agenda of Committee meetings and of Rule II. b. regarding special meetings shall apply as well to Subcommittee meetings.

f. Subcommittee Action.—Any bill, resolution, recommendation, or other matter ordered reported to the Committee by a Subcommittee shall be promptly reported by the Subcommittee Chairman or any Subcommittee member authorized to do so by the Subcommittee. Upon receipt of such report, the Staff Director shall promptly advise all members of the Committee of the Subcommittee action. The Committee shall not consider any matters reported by Subcommittees until two calendar days have elapsed from the date of reporting, unless the Chairman or a majority of the Committee determines otherwise.

g. Subcommittee Investigations.—No investigation shall be initiated by a Subcommittee without the approval of the Chairman of the Committee or a majority of the Committee.

#### VII. COMMITTEE BUDGET, STAFF, AND TRAVEL

a. Committee Budget.—The Chairman, in consultation with the majority members of the Committee, shall for each session of the Congress prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee and Subcommittees thereof. After consultation with the Ranking Minority Member, the Chairman shall include an amount budgeted to minority members for staff under their direction and supervision. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall take whatever action is necessary to have such budget duly authorized by the House.

b. Committee Staff.—The staff of the Committee shall perform such duties as are authorized by law and shall be under the general supervision and direction of the Chairman. Staff assigned to each Subcommittee shall perform such duties as are authorized by law and shall be under the general supervision and direction of the Chairman of the Committee and the Chairman of the Subcommittee. Committee members seeking assistance from the staff shall make their request through the Chairman or Ranking Minority Member. The Chairman shall ensure that each Subcommittee is adequately funded and staffed to discharge its responsibilities.

c. Committee Travel.—Funds authorized for the Committee under clause 5 of House Rule XI are for expenses incurred in the Committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of members of the Committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies:

(1) No member or employee of the Committee shall receive or expend local currencies

for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(2) Each member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in the categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

#### VIII. AMENDMENT OF RULES

These rules may be modified, amended, or repealed, by a majority vote of the Committee, provided that two legislative days written notice of the proposed change has been provided each member of the Committee prior to the meeting date on which such changes are to be discussed and voted upon.

#### APPENDIX A

##### Proxy

Because I will be absent on official business or otherwise unable to be present, I hereby designate the Honorable \_\_\_\_\_ to cast my votes as hereinafter indicated on the following bill, resolution, or matter:

H.R. \_\_\_\_\_.

S. \_\_\_\_\_.

Other \_\_\_\_\_.

The proxy may be used on the following days: \_\_\_\_\_.

My votes shall be cast in such manner as the proxy holder deems appropriate, subject to the following limitations (specify): \_\_\_\_\_.

(Signature) \_\_\_\_\_.

(Date) \_\_\_\_\_, (Time) \_\_\_\_\_.

#### RULES OF PROCEDURE FOR THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE FOR THE 103D CONGRESS

(Mr. GLICKMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GLICKMAN. Mr. Speaker, pursuant to clause 2(a) of House rule XI, I submit herewith a copy of the Rules of Procedure adopted on February 3, 1993, by the Permanent Select Committee on Intelligence for the 103d Congress.

#### RULES OF PROCEDURE FOR THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

##### 1. CONVENING OF MEETINGS

The regular meeting day of the Permanent Select Committee on Intelligence for the transaction of committee business shall be on the first Wednesday of each month, unless otherwise directed by the chairman.

In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C., and at least 48 hours in the case of any meeting held outside Washington, D.C.

##### 2. PREPARATIONS FOR COMMITTEE MEETINGS

Under direction of the chairman, designated committee staff members shall brief



members of the committee at a time sufficiently prior to any committee or subcommittee meeting to assist the committee members in preparation for such meeting and to determine any matter which the committee members might wish considered during the meeting. Such briefing shall, at the request of a member, include a list of all pertinent papers and other materials that have been obtained by the committee that bear on matters to be considered at the meeting.

The staff director shall recommend to the chairman the testimony, papers, and other materials to be presented to the committee or subcommittee at any meeting. The determination whether such testimony, papers, and other materials shall be presented in open or executive session shall be made pursuant to the Rules of the House and these rules.

### 3. MEETING PROCEDURES

Meetings of the committee and its subcommittees shall be open to the public except that a portion or portions of any such meeting may be closed to the public if the committee or subcommittee, as the case may be, determines by record vote in open session and with a majority present that the matters to be discussed or the testimony to be taken at such portion or portions:

1. Will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

2. Will relate solely to matters of committee staff personnel or internal staff management or procedure;

3. Will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual except that, at a hearing which may tend to defame, degrade or incriminate any person, the hearing may be closed to the public consistent with clause 2(g)(2) and clause 2(k)(5) of Rule XI of the Rules of the House;

4. Will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

5. Will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

6. Will violate any other law of the United States or any rule of the House of Representatives.

Except for purposes of taking testimony or receiving evidence, for which purposes a quorum shall consist of two committee members, a quorum for the transaction of any other committee business shall consist of ten committee members. Decisions of the committee shall be by majority vote of the members present and voting.

Whenever the committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast

in favor of and the votes cast in opposition to such measure or matter.

### 4. PROCEDURES RELATED TO THE TAKING OF TESTIMONY

**Notice.**—Reasonable notice shall be given to all witnesses appearing before the committee.

**Oath or Affirmation.**—Testimony of witnesses shall be given under oath or affirmation which may be administered by any member of the committee, except that the chairman of the committee or of any subcommittee shall not require an oath or affirmation where the chairman determines that it would not be appropriate under the circumstances.

**Interrogation.**—Committee or subcommittee interrogation shall be conducted by members of the committee and such committee staff as are authorized by the chairman or the presiding member.

**Counsel for the Witness.**—(A) Any witness may be accompanied by counsel. A witness who is unable to obtain counsel may inform the committee of such fact. If the witness informs the committee of this fact at least 24 hours prior to the witness' appearance before the committee, the committee shall then endeavor to obtain voluntary counsel for the witness. Failure to obtain such counsel will not excuse the witness from appearing and testifying.

(B) Counsel shall conduct themselves in an ethical and professional manner. Failure to do so shall, upon a finding to that effect by a majority of the members of the committee, a majority being present, subject such counsel to disciplinary action which may include censure, removal, or a recommendation of contempt proceedings, except that the chairman of the committee or of a subcommittee may temporarily remove counsel during proceedings before the committee or subcommittee unless a majority of the members of the committee or subcommittee, a majority being present, vote to reverse the ruling of the chair.

(C) There shall be no direct or cross-examination by counsel. However, counsel may submit in writing any question counsel wishes propounded to a client or to any other witness and may, at the conclusion of such testimony, suggest the presentation of other evidence or the calling of other witnesses. The committee or subcommittee may use such questions and dispose of such suggestions as it deems appropriate.

**Statements by Witnesses.**—A witness may make a statement, which shall be brief and relevant, at the beginning and conclusion of the witness' testimony. Such statements shall not exceed a reasonable period of time as determined by the chairman, or other presiding member. Any witness desiring to make a prepared or written statement for the record of the proceedings shall file a copy with the clerk of the committee, and insofar as practicable and consistent with the notice given, shall do so at least 72 hours in advance of the witness' appearance before the committee.

**Objections and Ruling.**—Any objection raised by a witness or counsel shall be ruled upon by the chairman or other presiding member, and such ruling shall be the ruling of the committee unless a majority of the committee present overrules the ruling of the chair.

**Transcripts.**—A transcript shall be made of the testimony of each witness appearing before the committee or any subcommittee during a committee or subcommittee hearing.

**Inspection and Correction.**—All witnesses testifying before the committee or any sub-

committee shall be given a reasonable opportunity to inspect the transcript of their testimony to determine whether such testimony was correctly transcribed. The witness may be accompanied by counsel. Any corrections the witness desires to make in the transcript shall be submitted in writing to the committee within 5 days from the date when the transcript was made available to the witness. Corrections shall be limited to grammar and minor editing, and may not be made to change the substance of the testimony. Any questions arising with respect to such corrections shall be decided by the chairman. Upon request, those parts of testimony given by a witness in executive session which are subsequently quoted or made part of a public record shall be made available to that witness at the witness' expense.

**Requests to Testify.**—The committee or any subcommittee will consider requests to testify on any matter or measure pending before the committee or subcommittee. A person who believes that testimony or other evidence presented at a public hearing, or any comment made by a committee member or a member of the committee staff may tend to affect adversely that person's reputation, may request to appear personally before the committee to testify on his or her own behalf, or may file a sworn statement of facts relevant to the testimony, evidence, or comment, or may submit to the chairman proposed questions in writing for the cross-examination of other witnesses. The committee shall take such actions as it deems appropriate.

**Contempt Procedures.**—No recommendation that a person be cited for contempt of Congress shall be forwarded to the House unless and until the committee has, upon notice to all its members, met and considered the alleged contempt, afforded the person an opportunity to state in writing or in person why he or she should not be held in contempt, and agreed, by majority vote of the committee to forward such recommendation to the House.

**Release of Name of Witness.**—At the request of any witness, the name of that witness scheduled to be heard by the committee shall not be released prior to, or after, the witness' appearance before the committee, unless otherwise authorized by the chairman.

**Closing hearings.**—A vote to close a committee or subcommittee hearing may not be taken by less than a majority of the committee or the subcommittee pursuant to clause 4 of House Rule XLVIII unless at least one member of the minority is present to vote upon a motion to close the hearing.

### 5. SUBCOMMITTEES

Creation of subcommittees shall be by majority vote of the committee. Subcommittees shall deal with such legislation and oversight of programs and policies as the committee may direct. The subcommittees shall be governed by the rules of the committee.

Except for purposes of taking testimony or receiving evidence, for which purposes a quorum shall consist of two subcommittee members, a quorum for the transaction of any other subcommittee business shall consist of a majority of the subcommittee.

There are hereby established the following subcommittees:

- (1) Program and Budget Authorization.
- (2) Legislation.
- (3) Oversight and Evaluation.

### 6. INVESTIGATIONS

No investigation shall be conducted by the committee unless approved by the full com-

mittee, a majority being present; provided, however, that an investigation may be initiated—

(1) at the direction of the chairman of the full committee, with notice to the ranking minority member of the full committee; or

(2) at the written request to the chairman of the full committee of at least five members of the committee.

except that any investigation initiated under (1) or (2) must be brought to the attention of the full committee for approval at the next regular meeting of the full committee following initiation of the investigation. Authorized investigations may be conducted by members of the committee and/or by designated committee staff members.

#### 7. SUBPOENAS

Unless otherwise determined by the committee, the chairman, upon consultation with the ranking minority member, or the committee, shall authorize and issue subpoenas. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records or any other material may be issued by the chairman, or any member of the committee designated by the chairman, and may be served by any person designated by the chairman or member issuing the subpoenas. Each subpoena shall have attached thereto a copy of these rules.

#### 8. STAFF

For the purpose of these rules, committee staff means employees of the committee, consultants to the committee, employees of other Government agencies detailed to the committee, or any other person engaged by contract or otherwise to perform services for or at the request of the committee.

The appointment of committee staff shall be by the chairman in consultation with the ranking minority member. After confirmation, the chairman shall certify committee staff appointments to the Clerk of the House in writing.

The committee staff works for the committee as a whole, under the supervision of the chairman of the committee. Except as otherwise provided by the committee, the duties of committee staff shall be performed and committee staff personnel affairs and day-to-day operations, including security and control of classified documents and material, shall be administered under the direct supervision and control of the staff director.

The committee staff shall assist the minority as fully as the majority in all matters of committee business and in the preparation and filing of additional, separate and minority views, to the end that all points of view may be fully considered by the committee and the House.

The members of the committee staff shall not discuss either the classified substance or procedure of the work of the committee with any person not a member of the committee or the committee staff for any purpose or in connection with any proceeding, judicial or otherwise, either during that person's tenure as a member of the committee staff or at any time thereafter except as directed by the committee in accordance with clause 7 of House Rule XLVIII and the provisions of these rules, or, in the event of the termination of the committee, in such a manner as may be determined by the House.

No member of the committee staff shall be employed by the committee unless and until such a member of the committee staff agrees in writing, as a condition of employment, not to divulge any classified information which comes into such person's possession while a member of the committee staff or

any classified information which comes into such person's possession by virtue of his or her position as a member of the committee staff to any person not a member of the committee or the committee staff, either while a member of the committee staff or at any time thereafter except as directed by the committee in accordance with clause 7 of House Rule XLVIII and the provisions of these rules, or in the event of the termination of the committee, in such manner as may be determined by the House.

No member of the committee staff shall be employed by the committee unless and until such a member of the committee staff agrees in writing, as a condition of employment, to notify the committee, or, in the event of the committee's termination, the House, of any request for testimony, either while a member of the committee staff or at any time thereafter with respect to classified information which came into the staff member's possession by virtue of his or her position as a member of the committee staff. Such classified information shall not be disclosed in response to such requests except as directed by the committee in accordance with clause 7 of House Rule XLVIII and the provisions of these rules, or in the event of the termination of the committee, in such manner as may be determined by the House.

The committee shall immediately consider disciplinary action to be taken in case any member of the committee staff fails to conform to any of these rules. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the committee staff.

#### 9. RECEIPT OF CLASSIFIED MATERIAL

In the case of any information classified under established security procedures and submitted to the committee by the executive or legislative branch, the committee's acceptance of such information shall constitute a decision by the committee that it is executive session material and shall not be disclosed publicly or released unless the committee, by rollcall vote, determines, in a manner consistent with clause 7 of House Rule XLVIII, that it should be disclosed publicly or otherwise released. For purposes of receiving information from either the executive or legislative branch, the committee staff may accept information on behalf of the committee.

#### 10. PROCEDURES RELATED TO CLASSIFIED OR SENSITIVE MATERIAL

(a) Committee staff offices shall operate under strict security precautions. At least one security officer shall be on duty at all times by the entrance to control entry. Before entering the office all persons shall identify themselves.

Sensitive or classified documents and material shall be segregated in a security storage area. They may be examined only at secure reading facilities. Copying, duplicating, or removal from the committee offices of such documents and other materials are prohibited except as is necessary for use in, or preparation for, interviews or committee meetings, including the taking of testimony in conformity with these rules.

Each member of the committee shall at all times have access to all papers and other material received from any source. The staff director shall be responsible for the maintenance, under appropriate security procedures, of a registry which will number and identify all classified papers and other classified materials in the possession of the committee and such registry shall be available to any member of the committee.

(b) Pursuant to clause (7)(c)(2) of House Rule XLVIII and to clause (2)(e)(2) and clause 2(g)(2) of House Rule XI, members who are not members of the committee shall be granted access to such transcripts, records, data, charts and files of the committee and be admitted on a nonparticipatory basis to hearings or briefings of the committee which involve classified material, on the basis of the following provisions:

(1) Members who desire to examine materials in the possession of the committee or to attend committee hearings or briefings on a nonparticipatory basis should notify the clerk of the committee in writing.

(2) Each such request by a member must be considered by the committee, a quorum being present, at the earliest practicable opportunity. The committee must determine by record vote whatever action it deems necessary in light of all the circumstances of each individual request. The committee shall take into account, in its deliberations, such considerations as the sensitivity of the information sought to the national defense or the confidential conduct of the foreign relations of the United States, the likelihood of its being directly or indirectly disclosed, the jurisdictional interest of the member making the request and such other concerns—constitutional or otherwise—as affect the public interest of the United States. Such actions as the committee may take include, but are not limited to: (i) approving the request, in whole or part; (ii) denying the request; (iii) providing in different form than requested information or material which is the subject of the request.

(3) In matters touching on such requests, the committee may, in its discretion, consult the Director of Central Intelligence and such other officials as it may deem necessary.

(4) In the event that the member making the request in question does not accede to the determination or any part thereof of the committee as regards the request, that member should notify the committee in writing of the grounds for such disagreement. The committee shall subsequently consider the matter and decide, by record vote, what further action or recommendation, if any, it will take.

(c) Pursuant to Section 501 of the National Security Act of 1947 (50 U.S.C. 413) and to clauses 3(a) and 7(c)(2) of House Rule XLVIII, the committee shall call to the attention of the House or to any other appropriate committee or committees of the House any matters requiring the attention of the House or such other committee or committees of the House on the basis of the following provisions:

(1) At the request of any member of the committee, the committee shall meet at the earliest practicable opportunity to consider a suggestion that the committee call to the attention of the House or any other committee or committees of the House executive session material.

(2) In determining whether any matter requires the attention of the House or any other committee or committees of the House, the committee shall consider, among such other matters it deems appropriate—

(A) the effect of the matter in question upon the national defense or the foreign relations of the United States;

(B) whether the matter in question involves sensitive intelligence sources and methods;

(C) whether the matter in question otherwise raises serious questions about the national interest; and



(D) whether the matter in question affects matters within the jurisdiction of another committee or committees of the House.

(3) In examining the considerations described in paragraph (2), the committee may seek the opinion of members of the committee appointed from standing committees of the House with jurisdiction over the matter in question or to submissions from such other committees. Further, the committee may seek the advice in its deliberations of any executive branch official.

(4) If the committee, with a quorum present, by record vote decides that a matter requires the attention of the House or a committee or committees of the House which the committee deems appropriate, it shall make arrangements to notify the House or committee or committees promptly.

(5) In bringing a matter to the attention of another committee or committees of the House, the committee, with due regard for the protection of intelligence sources and methods, shall take all necessary steps to safeguard materials or information relating to the matter in question.

(6) The method of communicating matters to other committees of the House shall insure that information or material designated by the committee is promptly made available to the chairman and ranking minority member of such other committees.

(7) The committee may bring a matter to the attention of the House when it considers the matter in question so grave that it requires the attention of all members of the House, if time is of the essence, or for any other reason which the committee finds compelling. In such case, the committee shall consider whether to request an immediate secret session of the House (with time equally divided between the majority and the minority) or to publicly disclose the matter in question pursuant to clause 7 of House Rule XLVIII.

(d) Whenever the select committee makes classified material available to any other committee of the House or to any member of the House not a member of the committee, the clerk of the committee shall be notified. The clerk shall at that time provide a copy of the applicable portions of these rules and of House Rule XLVIII and other pertinent Rules of the House to such members or such committee and insure that the conditions contained therein under which the classified materials provided are clearly presented to the recipient. The clerk of the committee shall also maintain a written record identifying the particular information transmitted, the reasons agreed upon by the committee for approving such transmission and the committee or members of the House receiving such information. The staff director of the committee is further empowered to provide for such additional measures as he or she deems necessary in providing material which the committee has determined to make available to a member of the House or a committee of the House.

(e) Access to classified information supplied to the committee shall be limited to those committee staff members with appropriate security clearance and a need-to-know, as determined by the committee, and under the committee's direction, the staff director.

No member of the committee or of the committee staff shall disclose, in whole or in part or by way of summary, to any person not a member of the committee or the committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the committee in

executive session, or the contents of any classified papers or other classified materials or other classified information received by the committee except as authorized by the committee in a manner consistent with clause 7 of House Rule XLVIII and the provisions of these rules, or in the event of the termination of the committee, in such a manner as may be determined by the House.

Before the committee makes any decision regarding a request for access to any testimony, papers or other materials in its possession or a proposal to bring any matter to the attention of the House or a committee or committees of the House, committee members shall have a reasonable opportunity to examine all pertinent testimony, papers, and other materials that have been obtained by the committee.

(f) Before any member of the committee or the committee staff may have access to classified information the following oath shall be executed:

I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the House Permanent Select Committee on Intelligence, except when authorized to do so by the committee or the House of Representatives.

Copies of the executed oath shall be retained in the files of the committee.

#### 11. LEGISLATIVE CALENDAR

The clerk of the committee shall maintain a printed calendar for the information of each committee member showing the measures introduced and referred to the committee and the status of such measures—and such other matters as the committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of each such revision shall be furnished to each member of the committee.

Unless otherwise ordered, measures referred to the committee shall be referred by the clerk of the committee to the appropriate department or agency of the Government for reports thereon.

#### 12. COMMITTEE TRAVEL

No member of the committee or committee staff shall travel on committee business unless specifically authorized by the chairman. Requests for authorization of such travel shall state the purpose and extent of the trip. A full report shall be filed with the committee when travel is completed.

When the chairman approves the foreign travel of a member of the committee staff not accompanying a member of the committee, all members of the committee are to be advised, prior to the commencement of such travel of its extent, nature and purpose. The report referred to in the previous paragraph shall be furnished to all members of the committee and shall not be otherwise disseminated without the express authorization of the committee pursuant to the rules of the committee.

#### 13. BROADCASTING COMMITTEE MEETINGS

Whenever any hearing or meeting conducted by the committee or any subcommittee is open to the public, a majority of the committee or subcommittee, as the case may be, may permit that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, subject to the provisions and in accordance with the spirit of the purposes enumerated in clause 3 of Rule XI of the Rules of the House.

#### 14. COMMITTEE RECORDS TRANSFERRED TO THE NATIONAL ARCHIVES

The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with rule XXXVI of the Rules of the House of Representatives. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any member of the committee.

#### 15. CHANGES IN RULES

These rules may be modified, amended, or repealed by the committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken.

### RULES OF PROCEDURE FOR THE COMMITTEE ON MERCHANT MARINE AND FISHERIES FOR THE 103D CONGRESS

(Mr. STUDDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STUDDS. Mr. Speaker, in accordance with clause 2(a) of rule XI of the Rules of the House of Representatives, I hereby submit for publication in the CONGRESSIONAL RECORD the rules of the Committee on Merchant Marine and Fisheries for the 103d Congress, which were adopted by the Committee in open meeting on January 7, 1993.

#### RULES OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

##### RULE I. APPLICABILITY OF HOUSE RULES

The Rules of the House insofar as they are applicable shall be the Rules of the Committee and its Subcommittees.

##### RULE II. JURISDICTION

As established in Rule X of the House Rules, the jurisdiction of the Committee on Merchant Marine and Fisheries is:

- (1) Merchant marine generally.
- (2) Oceanography and Marine Affairs, including coastal zone management.
- (3) Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.
- (4) Fisheries and wildlife, including research, restoration, refuges, and conservation.
- (5) Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
- (6) Merchant marine officers and seamen.
- (7) Navigation and the laws relating thereto, including pilotage.
- (8) Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and interoceanic canals generally.
- (9) Registering and licensing of vessels and small boats.
- (10) Rules and international arrangements to prevent collisions at sea.
- (11) United States Coast Guard and Merchant Marine Academies, and State Maritime Academies.

## (12) International fishing agreements.

## RULE III. FUNCTIONS

## (A) General Oversight Responsibilities.—

(1) The Committee shall review and study, on a continuing basis:

(a) the application, administration, execution, and effectiveness of those laws, or parts of laws, within its jurisdiction;

(b) the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution of these laws in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated; and

(c) any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within its jurisdiction (whether or not any bill or resolution has been introduced with respect thereto).

(2) The Committee shall undertake future research and forecasting on matters within its jurisdiction.

(3) The Committee shall review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction.

(B) Annual Appropriations.—In its consideration of all public bills and joint resolutions, the Committee shall ensure that appropriations for continuing programs and activities will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(C) Views and Estimates.—On or before February 25 of each year or such date as determined by the Committee on the Budget, the Committee shall submit to the Committee on the Budget:

(1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions; and

(2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

## RULE IV. SUBCOMMITTEES

(A) Applicability of Committee Rules.—Written Rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each of its Subcommittees. Each Subcommittee is a part of the Full Committee and subject to its authority, direction, and Rules.

(B) Standing Subcommittees.—There shall be five standing Subcommittees: the Subcommittee on Merchant Marine; the Subcommittee on Coast Guard and Navigation; the Subcommittee on Environment and Natural Resources; the Subcommittee on Fisheries Management; and the Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf.

(C) Other Panels, Task Forces, Special Subcommittees, or other Subunits.—The Chairman, or a majority of the Committee, may establish, as determined to be appropriate for the conduct of Committee business, other panels, task forces, special subcommittees, or other

subunits to operate for a period not to exceed six months.

## (D) Subcommittee Membership.—

(1) The ratio of Majority Members to Minority Members on Subcommittees, including Ex Officio Members, shall be no less favorable to the Majority Party than the ratio of Membership on the Full Committee.

(2) A Committee Member may temporarily resign from his Subcommittee assignment to serve on another Subcommittee of the Committee in the event of a vacancy. Members returning to their Subcommittee assignment at the end of the temporary assignment shall return to their original assignment without prejudice to tenure or seniority.

## (E) Ex Officio and Other Committee Members.—

(1) The Chairman and the Ranking Minority Member of the Full Committee shall serve as Ex Officio Members of all Subcommittees of which they are not designated as Chairman or Ranking Minority Member. They shall have the right to participate fully, including the right to vote on all matters before the Subcommittees, but shall not be counted in establishing the requirements of, or in determining, a quorum.

(2) Any Member of the Committee may sit with any Subcommittee of which he or she is not a Member during its hearings or meetings (including closed meetings) and participate therein, but may not vote on any matter, or be counted present for the purpose of determining a quorum, or raise points of order, or, except as the Subcommittee Chairman may permit, participate in questioning under the five-minute rule.

## (F) Subcommittee Meetings.—

(1) Subcommittees may hold hearings, receive evidence, hear witnesses, and report to the Committee for final action, together with such recommendations as may be agreed upon by the Subcommittee, on such matters as the Chairman may refer to a Subcommittee.

(2) Dates for Subcommittee meetings shall be assigned as a result of consultation between the Chairman and Subcommittee Chairmen and as nearly as practicable in relation to, and in accordance with, workloads.

(3) Subcommittees shall not meet at the same time as the Full Committee without the express permission of the Chairman of the Committee.

(G) Joint Subcommittee Markup.—When two or more Subcommittees meet jointly to take action on any measure or matter, each Member shall be entitled to one vote on each amendment, motion, order, or proposition.

## RULE V. MEETINGS

(A) Regular Meetings.—The Committee shall meet at 10 a.m., on the first Wednesday of each month in the Committee Hearing Room, 1334 Longworth House Office Building, while Congress is in session. This meeting may be dispensed with at the discretion of the Chairman, in consultation with the Ranking Minority Member, if there is no business.

(B) Additional Meetings.—The Chairman may call and convene additional meetings.

## (C) Meeting Notices.—

(1) The date, time, place, and subject matter of meetings shall be announced to all Members of the Committee and the public at least one week in advance. If the Chairman, in consultation with the Ranking Minority Member, determines this is not possible, a public announcement and oral and confirming written notice to Committee Members shall be made at the earliest possible date.

(2) All meeting notices shall be promptly published in the Daily Digest and promptly

entered into the Committee scheduling service of the House Information Systems.

(3) All Committee Members shall have adequate notice prior to Committee or Subcommittee investigations or hearings at locations other than Washington, D.C.

## (D) Special Meetings.—

(1) Three or more Committee Members may file with the Committee Clerk, a signed, written request to the Chairman for a special meeting of the Committee, specifying the measure or matter to be considered.

(2) If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Members of the Committee may file with the Committee Clerk their signed, written notice that a special meeting of the Committee will be held, specifying the date and hour of, and the measure or matter to be considered at, that special meeting. The Committee shall meet on that date and hour. Only the measure or matter specified in that notice may be considered at that special meeting. Immediately upon the filing of that notice, the Clerk of the Committee shall notify all Members of the Committee of the special meeting.

(3) The above procedures also apply to Subcommittees, except that the number of Subcommittee Members required to request a special Subcommittee meeting is two, and a majority of the Members of the Subcommittee must file their signed written notice with the Subcommittee Clerk.

(E) Conflict With Party Caucus or Conference.—When a Party Caucus or Conference of either Party directly conflicts with a scheduled Committee meeting, the meeting of the Committee shall be cancelled. The Clerk of the Committee shall give oral and confirming written notice to that effect to all Committee Members. The Chairman shall reschedule the meeting at the earliest practical time.

(F) Prohibition Against Meeting During Joint Sessions and Joint Meetings.—The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

## RULE VI. COMMITTEE PROCEDURE

(A) Applicability of House Procedure.—The procedure in the Committee and its Subcommittees shall follow the procedure of the House.

## (B) Referral of Legislation.—

(1) All legislation and other matters referred to the Committee shall be referred by the Chairman to all Subcommittees of appropriate jurisdiction within two weeks, unless by majority vote of the Majority Party Members of the Full Committee or by agreement between or among the Chairman and all the Subcommittee Chairmen to whom the legislation or other matter would otherwise be referred, consideration is to be by the Full Committee.

(2) The Chairman may refer any measure or matter simultaneously to two or more Subcommittees for concurrent consideration, or for consideration in sequence (subject to appropriate time limitations in the case of any Subcommittee), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different Subcommittee.

## (C) Power To Sit and Act and Subpoena Power.—

(1) For the purpose of carrying out any of its functions and duties under Rules X and XI of the House of Representatives, the Committee, or any Subcommittee, is authorized:



(a) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or had adjourned;

(b) to hold hearings; and

(c) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary.

(2) A subpoena may be authorized and issued by the Committee or a Subcommittee under subparagraph (1)(c) in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority being present.

(3) The power to authorize and issue subpoenas is also delegated to the Chairman of the Full Committee.

(4) Authorized subpoenas shall be signed by the Chairman of the Committee or by any Member designated by the Committee.

(5) Compliance with any subpoena issued by a Committee or a Subcommittee may be enforced only as authorized or directed by the House.

(6) The Chairman of the Committee, or any Member designated by the Chairman, may administer oaths to any witness.

(D) *Vice Chairman or Ranking Majority Member to Preside in Absence of Chairman.*—

(1) *Committee.* The Member of the majority party on the Committee ranking immediately after the Chairman shall be the Vice Chairman of the Committee and shall preside at any meeting of the Committee during the temporary absence of the Chairman. If the Chairman and Vice Chairman of the Committee are not present at any meeting of the Committee, the Ranking Member of the majority party who is present shall preside at that meeting.

(2) *Subcommittees.* The Member of the majority party on each Subcommittee ranking immediately after the Chairman of the Subcommittee shall be the Vice Chairman of the Subcommittee and shall preside at any meeting of the Subcommittee during the temporary absence of the Chairman of the Subcommittee. If the Chairman and Vice Chairman of the Subcommittee are not present at any meeting of the Subcommittee, the Ranking Member of the majority party who is present shall preside at that meeting.

(E) *Quorums for Meetings, Markups, and Hearings.*—

(1) Except as provided below, one-third of the Members of the Committee shall constitute a quorum for the purpose of transacting Committee business.

(2) No measure or recommendation shall be reported from the Committee unless a majority of the Committee was actually present, which shall be deemed the case if the records of the Committee establish that a majority of the Committee responded on a rollcall vote on that question. No point of order shall lie with respect to any measure or recommendation on the ground that it was reported without a majority of the Committee actually present unless such point of order was timely made in Committee.

(3) Testimony may be taken and evidence received in any meeting at which there are present not fewer than two Members of the Committee, one of whom should be, whenever possible, a Minority Member. Unless at least two Members are present, at least one of whom is a Majority Member, the meeting must be adjourned.

(4) Proxies may not be counted for a quorum.

(F) *Members' Opening Statements at Hearings.*—Opening statements by Members at

the beginning of any hearing of the Committee or any of its subcommittees shall be limited to five minutes each for the Chairman and Ranking Minority Member or their designee and one minute each for all other Members.

(G) *Amendments to be Offered at a Committee Markup.*—To the maximum extent possible, when a bill or resolution is being considered by the Committee, Members shall provide the Chief Clerk in a timely manner a sufficient number of written copies of any proposed amendment to enable each Member to receive a copy thereof prior to taking action in a Committee markup. A brief explanation of the effect of the amendment should be included with the text of the amendment.

(H) *Open Meetings.*—Each business meeting, including the markup of legislation, of the Committee and its Subcommittees shall be open to the public, except as provided below.

(1) *Closed Meetings.*—

(1) The Committee or Subcommittee, by a rollcall vote in open session and with a majority present, may determine that all or a part of the remainder of the business meeting, including the markup of legislation, on that day shall be closed to the public.

(2) If the meeting or markup is closed, no person other than Members of the Committee, and Congressional staff and departmental representatives as the Members may authorize, may be present.

(3) Any meeting that relates solely to internal budget or personnel matters may be closed by the Chairman after consultation with the Ranking Minority Member.

(J) *Closed Hearings.*—

(1) Each hearing conducted by the Committee or a Subcommittee shall be open to the public except when the Committee or Subcommittee, in open session and with a majority present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or Rule of the House of Representatives.

(2) Notwithstanding paragraph (1), a majority of those present, if the number required for the purpose of taking testimony are present, may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or tend to defame, degrade, or incriminate any person.

(3) The Committee or Subcommittee may by the same procedure, vote to close one subsequent day of hearing.

(4) No Member of the House may be excluded from nonparticipatory attendance at any hearing of the Committee or its Subcommittees, unless the House of Representatives, by majority vote, authorizes the Committee or the Subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures for closing hearings to the public.

(K) *Investigative Hearings.*—

(1) The Chairman shall announce in the opening statement the subject of the investigation.

(2) Except as provided by the rule for closing an investigative hearing, the Chairman shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(3) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee.

(4) At the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(L) *Closed Investigative Hearings.*—

(1) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person, such testimony or evidence shall be presented in executive session, if by a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking testimony, the Committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person.

(2) The Committee shall proceed to receive such testimony in open session only if a majority of the Members of the Committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) In either case, the Committee shall afford such person an opportunity voluntarily to appear as a witness, and shall receive and dispose of requests from such person to subpoena additional witnesses.

(M) *Questioning of Witnesses.*—

(1) Committee Members may question witnesses only when they have been recognized by the Chairman for that purpose. All questioning shall be pertinent to the subject matter of the hearing.

(2) After completing his questioning, the Chairman shall recognize the other Members beginning with the Ranking Minority Member and then the Ranking Majority Member, and thereafter, alternating between Minority and Majority, taking into consideration the ratio of Majority to Minority representation on the Committee. Each Member may request up to five minutes in each round of questioning. Additional time may be extended at the discretion of the Chairman.

(N) *Minority Witnesses.*—A majority of the Minority Members shall be entitled, upon request to the Chairman before the completion of any hearing, to call witnesses with respect to that measure or matter during at least one day of hearing.

(O) *Points of Order.*—No point of order shall lie with respect to any measure reported by the Committee on the ground that hearings on the measure were not conducted in accordance with the Rules governing open or closed hearings, public notice of hearings, or the requirements for advance filing and summarizing of statements by witnesses; except that a point of order on these grounds may be made by any Member of the Committee if, in the Committee, the point of order was timely made, and improperly overruled or not properly considered.

(P) *Ordering of Rollcall Votes.*—A rollcall vote may be ordered by one-fifth of the Members present.

(Q) *Proxies.*—

(1) A Member may vote by proxy only on a specific measure or matter and any amendments or motions pertaining to it; except that a Member may authorize a proxy for all motions to recess, adjourn, or other procedural matters.

(2) In order to be considered a valid and duly executed proxy, the proxy authorization must: be in writing; assert that the Member is absent on official business, or is otherwise unable to be present at the meeting of the Committee; designate the person who is to execute the proxy authorization; and be signed by the Member assigning his or her

vote, noting the date and time that the proxy was signed.

(3) For a proxy to be valid in sessions on succeeding days, it must be stipulated in the proxy, and if not stipulated, cannot be voted.

(4) All executed proxies shall be delivered to the Clerk and kept at the desk during the proceedings of the Committee for which they are given and shall be included in the official records of the meeting after they have been voted.

(5) Points of order as to the validity of proxies must be made at the time the proxies are voted.

(6) Proxies may not be counted for a quorum.

(R) *Limitation on Floor Action Under Suspension of the Rules.*—No bill which directly or indirectly authorizes the expenditure of over \$1 million in Federal funds shall be brought to the House Floor by the Committee under Suspension of the Rules if the text of the bill has been changed after it was reported by the Committee unless:

(1) the changes are purely technical and conforming; or

(2) all Members of the Committee have been provided a written copy of the changes at least twenty-four hours prior to the time the bill is considered in the House.

#### RULE VII. WITNESSES

(A) *Advance Testimony Requirements.*—A witness shall not be permitted to testify or present evidence, nor will any statement or testimony be included in the Committee hearing record, unless seventy-five copies of the testimony have been delivered to the Clerk of the Committee at least twenty-four hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting. At least ten of these copies must be delivered at least forty-eight hours (excluding Saturdays, Sundays, and legal holidays) prior to the meeting. These requirements may be waived only by the Chairman.

(B) *Written Summary.*—Each prepared statement of ten pages or more shall include a summary which may not exceed five pages in length.

(C) *Federal and Administration Witnesses.*—To the extent feasible, statements and testimony of witnesses from Federal and Administrative agencies shall be accompanied, if not previously received, by fifty copies of the Federal agency report requested by the Committee on the matters pending before it.

(D) *Five Minute Oral Testimony.*—Witnesses will be allowed no more than five minutes to summarize their prepared statements orally, unless additional time is provided by the Chairman. Full written statements provided by the witnesses will be made part of the record.

(E) *Investigative Hearing Witnesses.*—

(1) A copy of the Committee Rules shall be made available to each witness.

(2) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(3) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(4) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee.

(F) *Responses/Information for the Record.*—Responses to Members' or staff questions and other information offered for the record, shall be submitted, in triplicate, to the Committee Clerk within forty-five days from the

time of the request. One copy will be retained by the Clerk for printing and the remainder transmitted to the appropriate Majority and Minority Counsels.

#### RULE VIII. BROADCASTING OF COMMITTEE MEETINGS

The Chairman may permit any public hearing or meeting to be televised, broadcast by radio, photographed, or otherwise recorded, subject to the following requirements:

(1) At the request of any Committee Member present, a majority vote must be taken to permit the use of such equipment during the hearing or meeting.

(2) Radio and television tapes and television film of any coverage shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(3) The coverage of Committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of these Rules.

(4) If the television or radio coverage of the hearing or meeting is live, it shall be conducted and presented without commercial sponsorship.

(5) All persons providing coverage of the meeting shall be accredited to the appropriate Gallery.

(6) No witness served with a subpoena by the Committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all recorders or microphones used for coverage shall be turned off.

(7) The number of television cameras allowed in the hearing or meeting room is at the discretion of the Chairman. If necessary, the allocation among the television media of these positions shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Gallery.

(8) Members of the media and their equipment shall not obstruct in any way the space or visibility between any witness and any Member of the Committee nor obstruct unnecessarily coverage by the other media.

(9) No audio-visual equipment will be allowed on the dais without the express prior approval of the Chairman.

(10) Fixed audio-visual equipment shall not be installed in, or removed from, the hearing or meeting room while the Committee is in session.

(11) Floodlights, spotlights, strobolights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(12) The number of still photographers allowed in the hearing or meeting room is at the discretion of the Chairman. If necessary, allocation among this media shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers. Preference shall be given to photographers from Associated

Press Photos and United Press International Newspictures.

#### RULE IX. COMMITTEE RECORDS

(A) *Votes.*—

(1) The Committee shall keep a complete record of all Committee action which shall include a record of the votes on any question on which a rollcall vote is demanded.

(2) The result of each rollcall vote—including a description of the issue, the name of each Member voting for and against, and whether by proxy or in person, and the names of those Members present but not voting—shall be available for inspection by the public at reasonable times in the offices of the Committee.

(B) *Separate Files.*—All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the Congressional office records of the Chairman. These records shall be the property of the House and all Members of the House shall have access.

(C) *Permanent Records.*—With respect to the preservation and availability of noncurrent records of the Committee, the procedures contained in Rule XXXVI of the House shall be followed.

(D) *Open Hearings.*—

(1) Records and transcripts of open hearings before the Committee shall not be available to the public for quotation of any Member until after that Member has had an opportunity to examine and approve them. No more than forty-five days after the conclusion of hearings, the transcript shall be closed and no further changes may be made.

(2) In no instance will the Committee staff distribute, or prepare for distribution, to persons, other than Members and witnesses for the purpose of correction, any open hearing transcript that has not yet been closed and transmitted to the Government Printing Office for publication.

(E) *Closed Meetings.*—Transcripts and records of closed meetings shall be available to Members of the House of Representatives and Merchant Marine and Fisheries Committee staff for inspection in the offices of the Committee, but may not be released or divulged to any other person without the consent of the Chairman or a majority of the Committee. In no event shall executive session transcripts and records be taken from the Committee offices by anyone.

(F) *Markup Transcripts.*—In no event shall markup transcripts and records be taken from the Committee offices by anyone.

(G) *Availability of Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision pursuant to clause 3(b)(3) or clause 4(b) of the House rule to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

#### RULE X. COMMITTEE REPORTS AND PUBLICATIONS

(A) *Activities Report.*—The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on its activities under Rules X and XI of the House during the Congress ending at noon on January 3 of that year.

(B) *Procedures for Reporting.*—

(1) The Chairman shall report or cause to be reported promptly to the House any measure approved by the Committee and shall



take or cause to be taken necessary steps to bring the matter to a vote.

(2) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the Clerk of the Committee a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing of this request, the Clerk of the Committee shall immediately notify the Chairman.

(C) *Minority, Supplemental, or Additional Views.*—

(1) Members of the Committee must give notice to the Committee Clerk of intention to file supplemental, minority, or additional views within twenty-four hours after the time of approval of any measure or matter by the Committee (excluding Saturdays, Sundays, and legal holidays).

(2) Members shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) from the time of approval of any measure or matter, in which to file such views, in writing and signed by that Member, with the Clerk of the Committee.

(3) The provisions of subparagraphs (1) and (2) do not preclude—

(a) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this paragraph; or

(b) the filing by the Committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by the Committee upon that measure or matter.

(D) *Committee Report Requirements.*—Committee reports shall be printed in a single volume and include the following:

(1) with respect to each rollcall vote to report any bill or resolution, the total number of votes cast for and against, the name of each Member voting for and against, and whether by proxy or in person, and the names of those Members present but not voting;

(2) the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X of the House Rules, separately set out and clearly identified;

(3) the statement required by section 306(a) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority or new or increased tax expenditures;

(4) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974, separately set out and clearly identified, if timely submitted;

(5) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause (4)(c)(2) of Rule X of the House Rules, separately set out and clearly identified, if it has been submitted to allow for the Committee's consideration during deliberations on the measure;

(6) on each bill or joint resolution of a public character, a detailed analytical statement as to whether its enactment into law may have an inflationary impact on prices and costs in the operation of the national economy;

(7) on a bill or a joint resolution repealing or amending any statute or part thereof, in the report or in an accompanying document—

(a) the text to be repealed; and

(b) a comparative print showing by stricken-through type and italic, parallel columns, or other appropriate typographical devices, the omissions and insertions proposed to the statute;

(8) all supplemental, minority, or additional views filed by one or more Members of the Committee; and

(9) on its cover, a recital that any material submitted under subparagraphs (4), (5), and (8) above are included as part of the report.

(E) *Approval by Chairman.*—All Committee or Subcommittee prints and other material prepared for public distribution shall be approved by the Chairman of the Full Committee prior to distribution.

#### RULE XI. USE OF COMMITTEE FUNDS FOR TRAVEL

(A) *Authorization.*—All travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences, investigations, foreign conferences and meetings, and all foreign travel, must be authorized by the Chairman prior to any public notice or the actual travel.

(B) *Trip Report.*—A substantive report shall be filed with the Chairman within thirty days after any Committee trip or any trip related to matters of Committee jurisdiction which has been approved by the Chairman.

(C) *Domestic Travel.*—Funds authorized for the Committee under Clause 5 of Rule XI of the House Rules are for expenses incurred in the Committee's activities within the United States.

(D) *Foreign Travel.*—

(1) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its Territories or Possessions.

(2) No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose.

(3) The following conditions apply to travel outside the United States or its territories or possessions:

(a) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country for any day at a rate in excess of the maximum per diem rate set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual, unreimbursed expenses (other than for transportation) incurred by the Member or employee during that day.

(b) Each Member or employee of the Committee shall make to the Chairman of the Committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose and shall summarize in these categories the total foreign currencies and/or appropriated funds expended.

(c) All such individual reports shall be filed, no later than sixty days following the completion of travel, with the Chairman of the Committee for use in complying with the reporting requirements in applicable Federal law and shall be open for public inspection.

(4) In carrying out the Committee's activities outside of the United States in any country where local currencies are unavailable, a Member or employee of the Committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law, or if the Member or

employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual unreimbursed expenses (other than for transportation) incurred, by the Member or employee during any day.

(5) A Member or employee of the Committee may not receive reimbursement for the cost of any transportation in connection with travel outside of the United States unless the Member or employee has actually paid for the transportation.

(E) *Lame Duck Members.*—No local currencies owned by the United States and made available to the Committee, no primary expense resolution, and no additional expense resolution of the Committee may provide for the payment or reimbursement of expenses incurred by any Member of the Committee for travel after the general election in which the Member is not elected to the succeeding Congress, or in the case of a Member who is not a candidate, the earlier of the general election date or the adjournment sine die of the last regular session of the Congress.

#### RULE XII. COMMITTEE AND SUBCOMMITTEE STAFF

(A) *Hiring Practices/Terms of Employment.*—The staff members of the Committee—

(1) shall be appointed on a permanent basis, without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions;

(2) shall not engage in any work other than Committee business; and

(3) shall not be assigned any duties other than those pertaining to Committee business.

(B) *Limitation on Appointing Government Personnel.*—The Committee shall not appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on House Administration.

(C) *"Clause 5" Appointments.*—

(1) From the funds provided for the appointment of Committee staff pursuant to primary and additional expense resolutions—

(a) The Chairman of each standing Subcommittee is authorized to appoint one staff member who shall serve at the pleasure of the Subcommittee Chairman.

(b) The Ranking Minority Member of each standing Subcommittee is authorized to appoint one staff person who shall serve at the pleasure of the Subcommittee Ranking Minority Member.

(c) The staff members appointed pursuant to the provisions of (a) and (b) shall be compensated at a rate determined by the Subcommittee Chairman not to exceed: (1) 75 percent of the maximum established in paragraph (c) of clause 6 of Rule XI of the House Rules, or (2) the rate paid the staff member appointed pursuant to subparagraph (a) of this paragraph.

(2) Subcommittee staff members appointed under paragraph (1) are subject to the supervision and control of, and shall be responsible to, the Subcommittee Chairman or Ranking Minority Member of the Subcommittee, as appropriate.

(D) *"Clause 6" Appointments.*—

(1) The Committee shall appoint, by a majority vote, from a list submitted by the Chairman, appropriate professional and clerical staff personnel, in accordance with the provisions of clause 6 of Rule XI of the House Rules.

(2) Each employee on the professional, clerical and investigating staff of the Committee shall be entitled to pay at a single gross per annum rate, to be fixed by the

Chairman, which does not exceed the maximum rate of pay, as in effect from time to time, under applicable provisions of law.

(3) Subject to the provisions of paragraph (C)(2), each Committee staff member, other than a member appointed pursuant to the request of Minority Members, is assigned to the Chairman for the purposes of general supervision and control and shall perform such duties as the Chairman may assign.

(4) In the case of staff members appointed pursuant to the request of Minority Members, the Ranking Minority Member shall exercise general supervision and control, subject to the assignments designated by Minority Members in accordance with clause 6 of Rule XI of the House Rules.

(5) When any staff member is assigned directly to Subcommittee staff duties, the staff member shall remain under the general supervision and control of the Chairman of the Committee or Ranking Minority Member of the Committee as appropriate, but under the direct control of the Subcommittee Chairman or Subcommittee Ranking Minority Member, as appropriate, for duty assignment purposes.

(6) The Committee, by majority vote, may terminate the services of any staff member appointed by the Committee and may, from time to time, take appropriate action to fill any staff vacancies.

#### RULE XIII. COMMITTEE BUDGET

##### (A) Annual Budget.—

(1) At the beginning of each session, after consultation with each Subcommittee Chairman, the Chairman shall propose and present to the Committee for its approval a budget of the estimated funds necessary for all anticipated activities and programs of the Committee and its Subcommittees, that will be requested under a primary expense resolution submitted in accordance with clause 5 of Rule XI of the House Rules.

(2) In presenting the budget, the Chairman shall ensure that it contains sufficient funds to enable the Committee and each Subcommittee to discharge its responsibilities for legislation and oversight.

(B) *Additional Expense Resolutions.*—Authorization for the payment of additional or unforeseen Committee and Subcommittee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out above.

##### (C) Monthly Accounting.—

(1) Once monthly, the Chairman shall require the appropriate staff personnel to prepare a full and detailed accounting of all expenditures made during the period since the last accounting from the amount budgeted to the Full Committee.

(2) Each report shall show the amount and purpose of each expenditure and the budget to which the expenditure is attributed.

(3) Each report shall be available, upon request to the Committee Clerk, to any Member of the House of Representatives.

#### RULE XIV. CHANGES IN THE COMMITTEE RULES

The Rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that two legislative days written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted upon.

#### APPENDIX

##### SUBCOMMITTEE JURISDICTIONS

##### *Subcommittee on Environment and Natural Resources*

The Subcommittee's jurisdiction includes all matters pertaining to the protection of

coastal and marine environments, national environmental policy generally, and the conservation of wildlife resources. Specific matters within the jurisdiction of the Subcommittee include coastal and marine pollution, estuarine protection, coastal barriers, the National Environmental Policy Act, wetlands and habitat conservation, endangered species, biological diversity, marine mammals, whales, and refuges. The Subcommittee has general responsibility for the activities of the U.S. Fish and Wildlife Service, the Council on Environmental Quality, and the Marine Mammal Commission, and for the activities of the U.S. Environmental Protection Agency within the jurisdiction of the Committee on Merchant Marine and Fisheries.

##### *Subcommittee on Coast Guard and Navigation*

The Subcommittee's jurisdiction includes the Coast Guard, including life-saving services, lighthouses, lightships, ocean derelicts, communications, radar, maritime aids and other aids to navigation; deep water ports; registration and licensing of vessels, including small boats, navigation and the laws relating thereto, including pilotage; regulation of recreational boats and their operation; fishing vessel safety; inspection of merchant vessels, lights and signals, life-saving equipment and fire protection on such vessels; rules and international arrangements to prevent collisions at sea; enforcement of laws and treaties and marine pollution control and abatement; oil spill laws and associated financial responsibility requirements; regulation of the transportation and storage of liquefied natural gas and other volatile gases; the Coast Guard Academy; the Panama Canal and the maintenance and operation of the Panama Canal consistent with the treaty with Panama and the implementation legislation enacted pursuant to such treaty; and interoceanic canals generally.

##### *Subcommittee on Merchant Marine*

The Subcommittee's jurisdiction includes cabotage laws; cargo preference laws; ports and port matters except deep water ports; foreign-flag passenger ships; international maritime activities; intermodal transportation; marine insurance, maritime statistics; maritime technology; maritime training; merchant marine officers and seamen; and measures related to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission).

##### *Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf*

The Subcommittee's jurisdiction includes marine science and research generally; oceanographic research, including vehicles, platforms and structures; ocean engineering, including materials, technology, and systems; ocean dumping; ocean resources development and conservation; coastal zone management; marine sanctuaries; the activities of the National Oceanic and Atmospheric Administration except those in general relating to fisheries management and the National Marine Fisheries Service; U.N. Convention on the Law of the Sea; Sea Grant programs and marine extension services; and the Outer Continental Shelf Lands Act.

##### *Subcommittee on Fisheries Management*

The Subcommittee's jurisdiction includes all matters relating to fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries, the Magnuson Fishery Conservation and Management Act, interjurisdictional fisheries, international fish-

eries agreements, aquaculture, seafood safety, and fisheries promotion. The Subcommittee also has general jurisdiction over the fishery management activities of the National Marine Fisheries Service.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WASHINGTON (at the request of Mr. GEPHARDT) for today, on account of family illness.

Mr. DOOLITTLE (at the request of Mr. MICHEL) for today, on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WELDON) to revise and extend their remarks and include extraneous material:)

Mr. THOMAS of Wyoming, for 60 minutes, on February 18.

Mr. WELDON, for 5 minutes each day, on today and February 17.

Mr. GINGRICH, for 60 minutes each day, on March 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, and 19.

Mr. WOLF, for 30 minutes, today.

Mr. DELAY, for 60 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Mr. BONIOR, for 60 minutes, today, and on February 17 and 18.

Mr. TUCKER, for 60 minutes, today.

Mr. CONYERS, for 30 minutes, today.

Mr. MILLER of California, for 60 minutes, on February 17 and 18.

Mr. DURBIN, for 60 minutes, on February 17 and 18.

Mr. GEJDENSON, for 60 minutes, on February 18.

Mr. WISE, for 60 minutes, on February 18.

Mr. LEHMAN, for 60 minutes, on April 21, 22, and 26.

(The following Members (at the request of Mr. BONIOR) to revise and extend their remarks and include extraneous material:)

Mr. FINGERHUT, for 5 minutes, on February 17.

Mr. LIPINSKI, for 60 minutes, on February 17.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WELDON) and to include extraneous matter:)

Mr. SANTORUM.

Mr. BILIRAKIS.

Mr. HEFLEY in two instances.



Mr. GINGRICH.  
Mr. KING.  
Mr. BEREUTER.  
Mrs. MORELLA.  
Mr. CLINGER.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. BONIOR.  
Mr. FILNER.  
Mr. WYNN.  
Mr. GONZALEZ in 10 instances.  
Mr. BROWN of California in 10 instances.  
Mr. NATCHER.  
Mr. STARK in three instances.  
Mr. ORTIZ.  
Mr. HAMILTON.  
Mr. DURBIN.  
Ms. SLAUGHTER.  
Mrs. SCHROEDER.

#### SENATE JOINT RESOLUTION

A joint resolution of the Senate of the following title was taken from the Speaker's table, and, under the rule, referred as follows:

S.J. Res. 45. Joint resolution authorizing the use of United States Armed Forces in Somalia; to the Committee on Foreign Affairs.

#### ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2. An act to grant family and temporary medical leave under certain circumstances.

#### ADJOURNMENT

Mr. BONIOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 17, 1993, at 2 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of January 5, 1993]

719. A communication from the President of the United States, transmitting requests for fiscal year 1993 emergency appropriations language for the Departments of Housing and Urban Development and the Interior to provide housing assistance in Florida, Louisiana, Hawaii, and Guam to victims of Hurricanes Andrew and Iniki and Typhoon Omar, and relief to the drought-stricken western United States, and support to Louisiana in studying and repairing ecological damage caused by Hurricane Andrew, pursuant to Public Law 102-368, chapter 10 (106

Stat. 1158) (H. Doc. No. 103-45); to the Committee on Appropriations and ordered to be printed.

[Submitted January 16, 1993]

720. A letter from the Deputy Director, Office of Legislative Affairs, Department of the Treasury, transmitting the second annual report on the operation of the Enterprise for the Americas Facility, pursuant to Public Law 101-624, section 1512 (104 Stat. 3662); to the Committee on Agriculture.

721. A letter from the Comptroller General, the General Accounting Office, transmitting a review of the President's second special impoundment message for fiscal year 1993, pursuant to 2 U.S.C. 681 et. seq. (H. Doc. No. 103-47); to the Committee on Appropriations and ordered to be printed.

722. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of February 1, 1993, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 103-48); to the Committee on Appropriations and ordered to be printed.

723. A letter from the Principal Director, Requirements and Resources, Department of Defense, transmitting notification that the Department's Defense Manpower Requirements Report for fiscal year 1994, will be delayed, pursuant to 10 U.S.C. 115(a); to the Committee on Armed Services.

724. A letter from the Director, Test and Evaluation, Department of Defense, transmitting notification of three additional fiscal year 1993 test projects, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

725. A letter from the Deputy Assistant Secretary of Defense (Installations), transmitting notification that the report entitled, "Report on the Performance of Department of Defense Commercial Activities," will be delayed, pursuant to 10 U.S.C. 2304 note; to the Committee on Armed Services.

726. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report on the status of all extensions granted by Congress regarding the requirements of section 13 of the Federal Power Act; to the Committee on Energy and Commerce.

727. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

728. A letter from the Department's of State and the Treasury, transmitting the final report on foreign contributions in response to the Persian Gulf Crisis, pursuant to Public Law 101-25, section 402 (105 Stat. 101); to the Committee on Foreign Affairs.

729. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of H.R. 1, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

730. A letter from the Council on Environmental Quality, Executive Office of the President, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1992, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

731. A letter from the Chairman, Farm Credit Administration, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1992, pursuant to 5 U.S.C.

552b(j); to the Committee on Government Operations.

732. A letter from the Chairman, U.S. International Trade Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

733. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the semiannual report on El Salvador, pursuant to Public Law 101-513, section 531(i) (104 Stat. 2012); jointly, to the Committees on Appropriations and Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 670. A bill to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes (Rept. 103-14). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. H. Res. 81. A resolution providing for the consideration of the bill (H.R. 670) to require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes (Rept. 103-15).

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TRAFICANT:

H.R. 881. A bill to prohibit smoking in Federal buildings; to the Committee on Public Works and Transportation.

By Mr. ANDREWS of Texas (for himself, Mr. SHAW, Ms. PELOSI, Mr. BACHUS of Florida, Mr. KING, Mr. MCCOLLUM, Mr. GALLEGLY, Mr. SOLOMON, Mr. SUNDQUIST, Mr. GINGRICH, Mrs. SCHROEDER, Mr. GILLMOR, Mr. HOCHBRUECKNER, Mr. BATEMAN, Mr. PICKETT, Mr. SENSENBRENNER, Mr. PORTER, Mr. SMITH of New Jersey, Mr. TORKILDSEN, Mr. BLUTE, Mrs. KENNELLY, Mr. THOMAS of Wyoming, Mr. HINCHEY, Mr. SAXTON, Mr. SPRATT, Mr. UPTON, Mrs. JOHNSON of Connecticut, Mr. EMERSON, Mr. MACHTELY, Mr. NEAL of Massachusetts, Mr. LEWIS of Florida, Mr. FROST, Mr. MATSUI, Mr. WALSH, Mr. TOWNS, Mr. SAM JOHNSON, Mr. JACOBS, Mr. WILLIAMS, Mr. BAKER of Louisiana, Mr. LEWIS of Georgia, Mr. McDERMOTT, Ms. NORTON, and Mr. MAZZOLI):

H.R. 882. A bill to amend the Internal Revenue Code of 1986 to provide that charitable contributions of appreciated property will not be treated as an item of tax preference; to the Committee on Ways and Means.

By Mr. ARMEY (for himself, Mr. KASICH, Mr. MCCOLLUM, and Mr. HORN):

H.R. 883. A bill to require a balanced Federal budget by fiscal year 2000 and each year thereafter, to protect Social Security, to provide for zero-based budgeting and decennial sunset, to impose spending caps on the growth of entitlements during fiscal years 1994 through 2000, and to enforce those requirements through a budget process involving the President and Congress and sequestration; jointly to the Committees on Government Operations and Rules.

By Mr. BURTON of Indiana (for himself and Mr. ZELIFF):

H.R. 884. A bill to amend the Internal Revenue Code of 1986 to repeal the deduction limitation which applies to State legislators who reside within 50 miles of the capitol building of the State; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 885. A bill amending the Rules of the House to limit the availability of appropriations for salaries and expenses of the House to 1 year and to require certain excess allowance amounts be returned to the Treasury; to the Committee on Rules.

By Mr. CLINGER (for himself, Mr. SHAYS, Mr. SCHIFF, Mr. MCHUGH, Mr. HORN, Mr. ZIMMER, Mr. MCCANDLESS, Mr. RANGEL, Mr. HOBSON, Mr. GUNDERSON, Mr. ZELIFF, Mr. THOMAS of Wyoming, Mr. BARTLETT, and Mr. MICA):

H.R. 886. A bill to provide mandate relief assistance to State and local governments, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. DUNCAN (for himself, Mr. INHOPE, Mr. ZELIFF, Mr. GALLEGLY, Mr. SANTORUM, Mr. SUNQUIST, Mr. BARTON of Texas, Mr. BARTLETT of Maryland, and Mr. BAKER of Louisiana):

H.R. 887. A bill to amend the Immigration and Nationality Act to provide for the exclusion of immigrants infected with the HIV virus; to the Committee on the Judiciary.

By Mr. FIELDS of Texas (for himself and Mr. BONILLA):

H.R. 888. A bill to amend the Endangered Species Act of 1973 to the Committee on Merchant Marine and Fisheries.

By Mr. FRANK of Massachusetts:

H.R. 889. A bill to exclude from income amounts received under part A of title IV of the Social Security Act for the purposes of determining the amount of benefits to be provided under the Food Stamp Act of 1977; to the Committee on Agriculture.

H.R. 890. A bill to amend the Federal Deposit Insurance Act to provide for extended periods of time for claims on insured deposits; to the Committee on Banking, Finance and Urban Affairs.

H.R. 891. A bill to permit certain Federal employees who retired or became entitled to receive compensation for work injury before December 9, 1980, to elect to resume coverage under the Federal employees' group life insurance program; to the Committee on Post Office and Civil Service.

By Mr. FRANKS of Connecticut:

H.R. 892. A bill to amend part A of title IV of the Social Security Act to ensure the identification of the biological parents of each child who receives aid to families with dependent children; to the Committee on Ways and Means.

By Mr. GUTIERREZ:

H.R. 893. A bill to amend title 18, United States Code, to prohibit the possession or transfer of assault weapons; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 894. A bill to require the Congressional Budget Office to prepare estimates of the cost incurred by State and local governments in carrying out or complying with new legislation; to amend the Rules of the House of Representatives to require the inclusion of such estimates in committee reports on bills and joint resolutions; and to amend the Rules of the House of Representatives to ensure that Federal laws requiring activities by such governments shall not apply unless all amounts necessary to pay the direct costs of the activities are provided by the Federal Government; to the Committee on Rules.

H.R. 895. A bill to abolish the Economic Development Administration; jointly, to the Committees on Banking, Finance and Urban Affairs and Public Works and Transportation.

H.R. 896. A bill to abolish the Interstate Commerce Commission; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. HUGHES (for himself and Mr. FRANK of Massachusetts):

H.R. 897. A bill to amend title 17, United States Code, to modify certain recordation and registration requirements, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes; to the Committee on the Judiciary.

By Mr. HUTTO:

H.R. 898. A bill to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs; to the Committee on House Administration.

By Mr. KLUG:

H.R. 899. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to increase the minimum amount of cash remuneration payable to a domestic employee in any year which is subject to Social Security employment taxes, to provide for annual adjustments in such minimum amount, and to simplify the payment of such employment taxes; to the Committee on Ways and Means.

By Mr. LAROCOCO:

H.R. 900. A bill to amend title 28, United States Code, to provide for the appointment of an additional district judge for the District of Idaho; to the Committee on the Judiciary.

By Mr. LEWIS of Florida (for himself, Mr. BAKER of Louisiana, Mr. ROHRBACHER, Mr. GOSS, Mr. GALLEGLY, Mr. RAMSTAD, Mr. DORNAN, Mr. HYDE, and Mr. OXLEY):

H.R. 901. A bill to ensure employee rights concerning the payment of union dues; to the Committee on Education and Labor.

By Mr. MATSUI (for himself and Mr. HOAGLAND):

H.R. 902. A bill to amend the Internal Revenue Code of 1986 to provide a capital gains tax differential for individual and corporate taxpayers who make high-risk, long-term, growth-oriented venture and seed capital investments in startup and other small enterprises; to the Committee on Ways and Means.

By Mr. MURTHA:

H.R. 903. A bill to amend title III of the act of March 3, 1933, commonly known as the Buy American Act, to require Federal agencies to increase domestic procurement in times of economic recession, and for other purposes; to the Committee on Government Operations.

By Mr. OBERSTAR (for himself, Mr. GEPHARDT, Mr. MINETA, Mr. SHUSTER, Mr. CARR, and Mr. CLINGER):

H.R. 904. A bill to amend the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 with respect to the establishment of the National Commission to Ensure a Strong Competitive Airline Industry; to the Committee on Public Works and Transportation.

By Mr. OWENS:

H.R. 905. A bill to require the Bureau of Labor Statistics to collect and report unemployment and related statistics by congressional districts; to the Committee on Education and Labor.

H.R. 906. A bill to require that the Librarian of Congress be appointed from among individuals with specialized training or significant experience in the field of library and information science; to the Committee on House Administration.

H.R. 907. A bill to amend title 18, United States Code, to eliminate the effect of the parental exception to the kidnapping prohibition in cases of kidnappings in violation of valid custody orders; to the Committee on the Judiciary.

By Mr. PAXON:

H.R. 908. A bill to disqualify any individual or business concern who violates a Federal environmental law, or who holds a beneficial business interest in a person who has violated such a law, from being eligible to receive certain benefits from the Environmental Protection Agency for a period of 10 years; to the Committee on Energy and Commerce.

H.R. 909. A bill to amend the Congressional Budget Act of 1974 to require that the Congressional Budget Office prepare an analysis of the job loss or gain that would result from each reported bill; to the Committee on Rules.

H.R. 910. A bill to amend part A of title IV of the Social Security Act and title XIX of such act to discourage persons from moving to a State to obtain greater amounts of aid to families with dependent children or additional medical assistance under State Medicaid plans; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. PORTER (for himself, Mr. ANDREWS of Maine, Mr. BACCHUS of Florida, Mr. BEREUTER, Mr. BOEHNER, Mr. BROWDER, Mr. BUNNING, Mr. BURTON of Indiana, Mrs. COLLINS of Michigan, Mr. COX, Mr. DOOLEY, Mr. DURBIN, Mr. DORNAN, Mr. FALEOMAVAEGA, Mr. FROST, Mr. GALLEGLY, Mr. GILMAN, Mr. GOODLING, Mr. GOSS, Mr. GREENWOOD, Mr. GUNDERSON, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HENRY, Mr. HERGER, Ms. NORTON, Mr. HUGHES, Mr. HUNTER, Mr. HYDE, Mr. SAM JOHNSON, Mr. KING, Mr. KLUG, Mr. KYL, Mr. LIGHTFOOT, Mr. MACHTELEY, Mr. MAZZOLI, Mr. MCCANDLESS, Mr. MCCOLLUM, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCHUGH, Mr. MCKEON, Mrs. MEYERS of Kansas, Mr. MOAKLEY, Mr. MONTGOMERY, Mrs. MORELLA, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PICKETT, Mr. QUINN, Mr. ROYCE, Mr. SCHIFF, Mr. SHAYS, Mr. SKAGGS, Ms. SLAUGHTER, Mr. SOLOMON, Mr. STARK, Mr. SUNQUIST, Mr. WALSH, Mr. WELDON, Mr. WOLF, and Mr. McNULTY):

H.R. 911. A bill to encourage the States to enact legislation to grant immunity from personal civil liability, under certain circumstances to volunteers working on behalf of nonprofit organizations and governmental entities; jointly, to the Committees on the Judiciary and Ways and Means.



By Mr. PETERSON of Minnesota:

H.R. 912. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on passive activity losses and credits, provide an accelerated depreciation schedule for real estate, restore the investment tax credit, allow a deduction for certain capital gains, restore and increase the deduction for health insurance costs of self-employed individuals, restore income averaging, and reduce Social Security taxes and remove the ceiling on wages subject to such taxes; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 913. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate \$1 of their income tax liability and some or all of their income tax refunds, and to contribute additional amounts, to be used for purposes of financing drug abuse education programs; to the Committee on Ways and Means.

By Mr. ROGERS:

H.R. 914. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mrs. SCHROEDER:

H.R. 915. A bill to improve the collection of child support; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. STARK:

H.R. 916. A bill to establish, in the Food and Drug Administration, the Patented Medicine Prices Review Board to regulate the prices of certain prescription drugs, to amend the Internal Revenue Code to recapture certain tax benefits, and for other purposes; jointly, to the Committees on Energy and Commerce, the Judiciary, and Ways and Means.

By Mr. TRAFICANT:

H.R. 917. A bill to amend the Internal Revenue Code of 1986 to require an investigation of the Internal Revenue Service abuse of taxpayers' rights, to safeguard taxpayer rights, to monitor the effectiveness of the Internal Revenue Service's program for the prevention of taxpayer abuse, and for other purposes; to the Committee on Ways and Means.

By Mr. WYNN (for himself, Mr. E.B. JOHNSON, and Mr. WILSON):

H.R. 918. A bill to amend the Federal Deposit Insurance Corporation Improvement Act of 1991 to provide for greater disclosure of lending to small businesses; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CLEMENT (for himself, Mr. COOPER, Mr. DUNCAN, Mr. FORD of Tennessee, Mr. GORDON, Mrs. LLOYD, Mr. QUILLLEN, Mr. SUNDQUIST, and Mr. TANNER):

H.J. Res. 106. Joint resolution to designate the months of October 1993 and October 1994 as "Country Music Month"; to the Committee on Post Office and Civil Service.

By Mr. McNULTY:

H.J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States repealing the 22d article of amendment, thereby removing the restrictions on the number of terms an individual may serve as President; to the Committee on the Judiciary.

Mr. MORAN (for himself, Mr. HOYER, Mr. WHEAT, Mr. ACKERMAN, Mr. CARDIN, Mr. BATEMAN, Mr. McDERMOTT, Mr. CLEMENT, Mr. TAUZIN, Mr. SKEEN, Mr. NEAL of Massachusetts, Mr. BEVILL, Mr. PAYNE of New Jersey, Mr. McCLOSKEY, Mr.

WALSH, Mr. BLACKWELL, Mr. ANDREWS of Maine, Mr. WOLF, Mr. TRAFICANT, Mr. FRANK of Massachusetts, Mr. CHAPMAN, Ms. BYRNE, Mr. PALLONE, Mr. KLECZKA, Mr. COX, Mr. KILDEE, Mr. MYERS of Indiana, Mr. HANSEN, Mr. DE LUGO, Mr. RANGEL, Mr. DOOLITTLE, Mr. MINETA, Mr. MARTINEZ, Mr. LANCASTER, Mr. BERMAN, Mr. NEAL of North Carolina, Ms. KAPTUR, Mrs. MINK, Mr. KANJORSKI, Mr. CLAY, Mr. HYDE, Mr. BILBRAY, Mr. HOCHBRUECKNER, Mr. ROSE, Mr. KASICH, Mrs. MORELLA, Ms. WOOLSEY, Mr. POSHARD, Mr. PARKER, Mr. ABERCROMBIE, Mr. ANDREWS of New Jersey, Mr. YOUNG of Florida, Mr. LEHMAN, Ms. PELOSI, Mr. FROST, Mr. FORD of Michigan, Mr. HOBSON, Mr. CONYERS, Ms. NORTON, Mr. DICKS, Mr. FAZIO, Ms. BROWN of Florida, Mr. FILNER, Mr. EMERSON, Mr. ROEMER, Mr. HALL of Ohio, Mr. FALEOMAVAEGA, Mr. HUGHES, Mr. LANTOS, Mr. OWENS, Mr. HUTCHINSON, Mrs. UNSOELD, and Mr. STUPAK):

H.J. Res. 108. Joint resolution to designate May 3, 1993, through May 9, 1993, as "Public Service Recognition Week"; to the Committee on Post Office and Civil Service.

By Mr. PAXON:

H.J. Res. 109. Joint resolution proposing an amendment to the Constitution of the United States providing for the recall of Senators and Representatives; to the Committee on the Judiciary.

By Mr. PETRI:

H.J. Res. 110. Joint resolution to authorize the Administrator of the Federal Aviation Administration to conduct appropriate programs and activities to acknowledge the status of the county of Fond du Lac, WI, as the "World Capital of Aerobatics," and for other purposes; to the Committee on Public Works and Transportation.

By Mr. DIAZ-BALART (for himself, Mr. TORRICELLI, Mr. MENENDEZ, Mr. SMITH of New Jersey, Mr. BALLENGER, Ms. ROS-LEHTINEN, and Mr. DEUTSCH):

H. Con. Res. 38. Concurrent resolution calling for the United States to propose and seek an international embargo against the totalitarian Government of Cuba; to the Committee on Foreign Affairs.

By Mr. HAMILTON:

H. Res. 80. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Foreign Affairs in the 1st session of the 103d Congress; to the Committee on House Administration.

By Mr. GLICKMAN:

H. Res. 82. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Permanent Select Committee on Intelligence in the 1st session of the 103d Congress; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. EMERSON, Ms. DANNER, Mr. QUINN, Mr. FIELDS of Texas, Mr. KING, Mr. MACHTLEY, Mr. LIGHTFOOT, and Mr. RAHALI):

H. Res. 83. Resolution expressing the sense of the House of Representatives that the cost-of-living adjustment provisions under title II of the Social Security Act should be preserved; to the Committee on Ways and Means.

By Mr. STUDDS:

H. Res. 84. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Merchant Marine and Fish-

eries in the 1st session of the 103d Congress; to the Committee on House Administration.

## MEMORIALS

Under clause 4 of rule XXII,

41. The SPEAKER presented a memorial of the Senate of the State of New Hampshire, relative to cable television; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. GINGRICH introduced a bill (H.R. 919) for the relief of Larry Errol Pieterse; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. DIXON.

H.R. 20: Mr. YOUNG of Alaska, Mr. TUCKER, Mr. ROEMER, Mr. HAYES of Louisiana, Mr. VISCLOSKEY, Mr. EMERSON, Mr. SWETT, Mr. RANGEL, Mr. TOWNS, Mr. ORTON, Mr. KLEIN, Mr. KLINK, Mr. FALEOMAVAEGA, Ms. SHEPHERD, Mr. BILBRAY, Mrs. LLOYD, Mr. McHALE, Ms. CANTWELL, Mr. UPTON, Mr. TANNER, Mr. LEVIN, Mr. ENGLISH of Oklahoma, Mr. POMEROY, Mr. BERMAN, Mr. MANTON, Mr. HAMBURG, Mr. GALLO, Mr. PARKER, Mr. TORRICELLI, Mr. NADLER, Mr. HOYER, Mr. CRAMER, Mr. STUPAK, Mr. GOODLING, Mr. LEWIS of Georgia, Ms. MCKINNEY, Ms. WOOLSEY, Mrs. CLAYTON, Mr. PAYNE of New Jersey, Mr. JOHNSON of South Dakota, Mr. UNDERWOOD, Ms. DANNER, Mr. BECERRA, Mr. ENGEL, Mr. SCOTT, Mr. NEAL of North Carolina, Mr. WALSH, Ms. SCHENK, Ms. LOWEY, Mr. LANTOS, Mr. DELLUMS, and Mr. TRAFICANT.

H.R. 94: Mr. DORNAN, Mr. OXLEY, Mr. BURTON of Indiana, Mr. GALLEGLY, Mrs. MORELLA, Mr. HILLIARD, Mr. BARRETT of Nebraska, Mr. ROHRBACHER, and Mr. BARTLETT.

H.R. 109: Ms. FURSE, Ms. NORTON, Mrs. MORELLA, Mr. PALLONE, Mr. OLVER, Mr. SANGMEISTER, Mr. RAVENEL, Mr. LAFALCE, Mr. DELLUMS, Mr. KANJORSKI, Mr. PAYNE of New Jersey, and Mr. HINCHEY.

H.R. 150: Mr. COX and Mr. SUNDQUIST.

H.R. 162: Mr. HERGER, Mr. BACHUS of Alabama, Mr. BALLENGER, Mr. BLACKWELL, Mr. BUYER, Mr. CHAPMAN, Mr. COSTELLO, Mr. CRAMER, Mr. DELAY, Mr. EMERSON, Mr. FAWELL, Mr. FRANK of Massachusetts, Mr. GILLMOR, Mr. GLICKMAN, Mr. GUNDERSON, Mr. HAYES of Louisiana, Mr. HOEKSTRA, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of South Dakota, Ms. KAPTUR, Mr. KYL, Mr. LAUGHLIN, Mr. LEWIS of Florida, Mr. MAZZOLI, Mr. McCLOSKEY, Mr. NEAL of North Carolina, Mr. RAMSTAD, Mr. ROGERS, Mr. SARPALIUS, Ms. SHEPHERD, Mr. SMITH of New Jersey, Mr. STUMP, Mr. TAUZIN, Mr. TORKILDSEN, and Mr. ZELIFF.

H.R. 163: Mr. LIVINGSTON, Mr. DELAY, Mr. GOSS, and Mr. BARTLETT.

H.R. 166: Mr. STUMP and Mr. GOSS.

H.R. 229: Mr. SWIFT, Mr. NEAL of Massachusetts, Mr. DOOLEY, Mr. DeFAZIO, Mr. HERGER, Mrs. MINK, and Mr. MURPHY.

H.R. 300: Mrs. MEEK, Mr. VALENTINE, Mr. LIPINSKI, Mr. GEKAS, Mr. POMBO, Mr. CLINGER, Mr. LEWIS of California, Mr. BARTLETT, Mr. BARTON of Texas, Mr. McMILLAN,

Mr. YOUNG of Alaska, and Mr. COLLINS of Georgia.

H.R. 301: Mr. BAKER of Louisiana, Mr. ZIMMER, and Mr. GILCHREST.

H.R. 302: Mr. GILMAN, Mr. LEHMAN, Mr. HYDE, Ms. NORTON, Mr. GUNDERSON, Mr. BARTLETT, Mr. FRANK of Massachusetts.

H.R. 304: Mr. KYL, Mr. PENNY, Mr. BEREUTER, Mr. KLUG, Mr. ZIMMER, Mr. TAYLOR of North Carolina, Mr. BAKER of Louisiana, Mr. GRAMS, and Mr. SHAYS.

H.R. 306: Mr. LIPINSKI and Mr. CRAPO.

H.R. 324: Mr. SENSENBRENNER, Mr. PORTER, Mr. DIAZ-BALART, Mr. GRAMS, Mr. DOOLEY, Mr. BAKER of Louisiana, Mr. SMITH of Oregon, Mr. HINCHEY, and Mr. BARTLETT.

H.R. 339: Mr. COMBEST.

H.R. 348: Mr. HOBSON, Mr. TOWNS, Mr. POMBO, Mr. PARKER, Mr. FORD of Michigan, Mr. TORKILDSEN, Mr. WYNN, Mr. SWIFT, Mr. GEJDENSON, Mr. KOPETSKI, Mr. UPTON, Mr. BARTLETT, and Mr. KREIDLER.

H.R. 349: Mr. DOOLEY, Mr. JOHNSON of Georgia, Mr. TAYLOR of Mississippi, Mr. LINDER, Mr. BACHUS of Alabama, and Mr. MAZZOLI.

H.R. 385: Mr. STUMP.

H.R. 396: Mr. MCHUGH.

H.R. 410: Mr. PARKER, Mr. SOLOMON, Mr. BAKER of Louisiana, Mr. ARMEY, and Mr. CALLAHAN.

H.R. 412: Mr. DUNCAN and Mr. SOLOMON.

H.R. 419: Mr. EVANS, Mr. HOBSON, Ms. WOOLSEY, Ms. NORTON, Ms. PELOSI, Mr. BLACKWELL, and Mr. HINCHEY.

H.R. 441: Mr. MANN and Mr. BEREUTER.

H.R. 465: Mr. SHAYS.

H.R. 490: Mr. DORNAN, Mr. HUTTO, Mr. MCDERMOTT, Mr. FLAKE, Ms. BYRNE, Mr. FRANK of Massachusetts, Mr. MCHUGH, Mrs. MEEK, Mr. SANDERS, Ms. SNOWE, Mrs. MORELLA, Mr. CLYBURN, Ms. WOOLSEY, Mr. APPELATE, Mr. COLEMAN, Ms. E.B. JOHNSON, Ms. BROWN of Florida, Mr. CARDIN, Mr. LEVIN, Ms. MOLINARI, Mr. DANNER, Ms. PELOSI, Mr. RAHALL, Mrs. LLOYD, Mrs. SCHROEDER, Ms. SHEPHERD, Mr. TUCKER, Mr. OBERSTAR, Mr. SCHUMER, Mr. VALENTINE, Mrs. COLLINS of Illinois, Mrs. VUCANOVICH, Mr. FAZIO, Mr. DELLUMS, Mr. MORAN, Mr. PETERSON of Florida, Mr. CONYERS, Mr. FROST, Mr. EVANS, Miss COLLINS of Michigan, Mr. BARRETT of Wisconsin, Mr. RUSH, Mr. FILNER, Mr. BONIOR, Ms. MARGOLIES-MEZVINSKY, Mr. COX, Mrs. CLAYTON, Mr. HOYER, Mr. HINCHEY, and Mr. EMERSON.

H.R. 498: Mr. BROWN of California.

H.R. 509: Mr. BAKER of Louisiana, Mr. DELAY, Mr. THOMAS of California, Mr. SKEEN, and Mr. BARTLETT.

H.R. 519: Ms. MALONEY, Ms. PELOSI, Mr. BERMAN, Mr. STARK, Mr. ANDREWS of Maine, Ms. BYRNE, Mr. HASTINGS, Mr. COLEMAN, Ms. NORTON, Mr. BLACKWELL, Mr. WYNN, Mr. FILNER, and Mr. MILLER of California.

H.R. 526: Mr. APPELATE, Mr. BLACKWELL, Mr. FOGLIETTA, Mr. HILLIARD, and Mr. REED.

H.R. 544: Mr. BLACKWELL, Mr. RUSH, Mr. GUTIERREZ, Mr. SKAGGS, Mr. RANGEL, Mr. BATEMAN, Mr. SCOTT, and Mr. WYNN.

H.R. 546: Mr. KREIDLER, Mr. HOBSON, Ms. NORTON, Mrs. THURMAN, and Mr. GORDON.

H.R. 561: Mr. BREWSTER, Mr. GILLMOR, Mr. POMBO, Mr. MCDADE, Mr. SARPALIUS, and Mr. LIGHTFOOT.

H.R. 562: Mr. EMERSON, Mr. LIGHTFOOT, and Mr. DOOLITTLE.

H.R. 563: Mr. MCHUGH, Mr. INGLIS, Mr. EMERSON, Mr. LIGHTFOOT, Mr. PORTER, and Mr. DOOLITTLE.

H.R. 565: Mr. PORTER, Mr. ROHRBACHER, Mr. COX, Mr. HERGER, Mr. EWING, Mr. SOLOMON, Mr. GENE GREEN, Mr. MCMILLAN, Mr. BARTLETT, Mr. BATEMAN, Mr. ARMEY, Mr. STUMP, Mr. SCHIFF, Mr. ZELIFF, Mr. BAKER of Louisiana, and Mr. PENNY.

H.R. 567: Mr. GRAMS.

H.R. 571: Mr. PAXON, Mr. ZIMMER, and Ms. NORTON.

H.R. 630: Mr. WALSH, Mr. LEVY, Mr. CLYBURN, Mr. TOWNS, Mr. EVANS, and Mrs. JOHNSON of Connecticut.

H.R. 667: Mr. SMITH of Oregon, Mr. FAWELL, Mr. GINGRICH, Mrs. MEYERS of Kansas, Mr. CANADY, and Mr. KNOLLENBERG.

H.R. 697: Mr. BLACKWELL, Mr. DE LUGO, Mr. EVANS, Mr. GEJDENSON, Mr. GUTIERREZ, Mr. HILLIARD, Mr. MFUME, Mr. RUSH, Mr. SABO, Ms. WOOLSEY, Mrs. MORELLA, and Mr. MARTINEZ.

H.R. 723: Mr. GALLEGLY.

H.R. 728: Mr. FRANK of Massachusetts.

H.R. 739: Mr. DOOLITTLE, Mr. LIPINSKI, Mr. SANTORUM, and Mr. BARTLETT.

H.R. 749: Mr. DOOLEY, Mr. KLUG, Mr. BOEHLERT, Ms. BYRNE, Mr. DORNAN, Mr. PARKER, Mr. FRANK of Massachusetts, and Mr. CALVERT.

H.R. 762: Mr. FROST, Mr. SOLOMON, Mr. SANTORUM, Mr. BARLOW, and Mr. LIPINSKI.

H.R. 777: Mr. BAKER of Louisiana, Mr. LEACH, Mr. SOLOMON, Mr. TORKILDSEN, Mr. GUNDERSON, Mr. SAXTON, and Mr. BARTLETT.

H.R. 799: Mr. FRANKS of Connecticut, Mr. LAROCO, Ms. LONG, Mr. HOKE, Mr. GUNDERSON, and Mr. MANZULLO.

H.R. 870: Mr. TUCKER, Mr. LEACH, Mrs. COLLINS of Michigan, Mr. BLACKWELL, Mr. CLAY, Mr. BARTLETT, and Mrs. KENNELLY.

H.J. Res. 6: Mr. BILIRAKIS, Mr. ROMERO-BARCELÓ, Mr. KREIDLER, Mr. EMERSON, Mr. MONTGOMERY, Ms. BYRNE, Mr. RANGEL, Mr. BEVILL, Mr. POSHARD, Mr. MAZZOLI, Mr. MINETA, Mr. HAMILTON, Mr. HUTTO, Mr. VENTO, Mr. DORNAN, Mr. HENRY, Mr. BARTLETT, Mr. FRANK of Massachusetts, Mr. BONIOR, and Mr. SUNDQUIST.

H.J. Res. 10: Mr. APPELATE, Mr. LEHMAN, Mr. EDWARDS of California, Mr. RANGEL, Mr. HAMILTON, Ms. NORTON, Mr. REGULA, Mr. DOOLITTLE, Mr. CRAMER, Mr. HUTTO, Mr. COYNE, Mr. BLILEY, Mr. MCCOLLUM, Mr. ROEMER, Mr. RAHALL, Mr. ORTON, Mr. DELLUMS, Mr. SCOTT, Mr. TAUZIN, Mr. STARK, Mr. CLEMENT, Mr. MINETA, Mr. FALCOMA, Mr. LANTOS, and Mr. NUSSLE.

H.J. Res. 22: Mr. EMERSON, Mr. BEVILL, Mr. HUNTER, Mr. BURTON of Indiana, Mr. SUND-

QUIST, Mr. BACHUS of Alabama, Mr. DORNAN, Mr. MCHUGH, Mr. SAM JOHNSON, Mr. BARTLETT, and Mr. LAUGHLIN.

H.J. Res. 58: Mr. SARPALIUS.

H.J. Res. 101: Mr. SMITH of Michigan.

H. Con. Res. 3: Mr. McNULTY and Mr. SANTORUM.

H. Con. Res. 6: Mr. DOOLEY, Mr. CANADY, Mr. PETE GEREN, Mr. ORTON, and Mr. HOKE.

H. Con. Res. 15: Mr. LANTOS, Mr. VALENTINE, Ms. WOOLSEY, Ms. NORTON, Mr. HILLIARD, Mr. BLACKWELL, Mr. WYNN, Mr. GLICKMAN, Mr. GUTIERREZ, and Mr. JEFFERSON.

H. Con. Res. 21: Mr. EMERSON, Mr. CLEMENT, Mr. FILNER, Mr. BEREUTER, Mr. BILBRAY, Ms. WOOLSEY, Mr. HOBSON, Mr. RANGEL, and Mr. WALSH.

H. Con. Res. 29: Mr. SOLOMON, Mr. BAKER of California, Ms. NORTON, Mr. CANADY, Mr. HILLIARD, Mr. KILDEE, and Mr. MANZULLO.

H. Con. Res. 36: Mr. RANGEL and Mrs. KENNELLY.

H. Res. 16: Mr. BARTLETT.

H. Res. 35: Mr. GALLEGLY, Mr. OLVER, Ms. BYRNE, Mr. FRANKS of New Jersey, Mr. SHAYS, Mrs. KENNELLY, Mr. PENNY, Mr. BEIL-ENSON, Ms. SLAUGHTER, Mr. LIPINSKI, Ms. MALONEY, Mr. CARDIN, and Mr. HINCHEY.

H. Res. 40: Ms. FURSE, Mr. MCDERMOTT, Mr. FROST, and Mr. SLATTERY.

H. Res. 41: Mr. BARRETT of Wisconsin, Mr. NEAL of North Carolina, and Mr. TORKILDSEN.

H. Res. 49: Ms. FOWLER, Mr. HANCOCK, Mr. DORNAN, Mr. ARMEY, and Mr. BAKER of Louisiana.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 25: Mr. SMITH of Oregon.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

12. By the SPEAKER: Petition of Graphic Communications International Union, Seattle, WA, relative to the health care crisis; to the Committee on Energy and Commerce.

13. Also, petition of the Ambassador, Embassy of Austria, relative to an International War Crimes Tribunal for the former Yugoslavia; to the Committee on Foreign Affairs.